

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

Sr. No.131

Civil Writ Petition No.15255 of 2017
DECIDED ON: July 17, 2017

RAKESH KUMAR LOOMBA

..PETITIONER

VERSUS

**THE PRINCIPAL SECRETARY TO GOVT PUNJAB DEPT OF
PUNJAB CIVIL SECRETARIAT CHD AND ANR**

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Puran Chand, Advocate,
for the petitioner.

JASPAL SINGH, J. (ORAL)

By virtue of instant civil writ petition preferred under Article 226/227 of the Constitution of India, petitioner has sought the issuance of writ particularly in the nature of mandamus to the respondents to fix pay of the petitioner being senior at par with his junior Sh.Daljeet Singh, Deputy Controller in accordance with Rule 11 of the Punjab Civil Services (Revised Pay) Rules, 2009 (Annexure P-1) read with Govt. instructions contained in letter dated August 12, 2010 (Annexure P-2) i.e. date from which pay of junior was enhanced on account of accrual of increment to the post of Deputy Controller (F&A) and further to revise the pension and other retiral benefits in consequence of enhancement of pay due to aforesaid re-fixation of pay and also to make payment of arrears becoming due on account of re-fixation of pay and revision of pension and other retiral benefits from date these became due.

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2. The contention of learned counsel for the petitioner is that petitioner is not being provided same benefit of increment while fixing his pay in accordance with rules and instructions referred to above. Despite several requests, even legal notice dated March 20, 2017 (Annexure P-6) was also served upon Additional Director (Treasury & Accounts Branch), Department of Finance, Punjab, Chandigarh, but till date no decision has been taken.

3. Instant petition is disposed of with a direction to respondent No.2-The Director, Department of Finance (Treasury & Accounts Branch), Sector 17, Chandigarh now at Vit and Yojna Bhawan, Sector 33, Chandigarh is directed to consider the grouse(s) ventilated through legal notice dated March 20, 2017 (Annexure P-6) particularly in view of rules and instructions referred to above in para No.1 of this order within three months from the date of receipt of certified copy of this order.

July 17, 2017
Ankur

(JASPAL SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No