

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No. 21375 of 2014 (O&M)

Date of decision: 24.04.2017

Kiran Bala

... Petitioner

versus

State of Haryana and others

.... Respondents

CORAM: HON'BLE MR. JUSTICE P. B. BAJANTHRI

Present: Mr. Umesh Narang, Advocate for the petitioner.
Mr. D.S. Nalwa, DAG Haryana.

P. B. BAJANTHRI, J. (ORAL)

The civil writ petition has been filed under Article 226/227 of the Constitution of India seeking quashing of orders Annexure P5 (Colly) dated 02.09.2009, 31.07.2014 and 30.09.2014 whereby the pay of the petitioner has been reduced and refixed pay by withdrawing the benefit of additional increment granted on completion of 8 years of service without issuing any show cause notice.

From the perusal of Annexure-P5, it is evident that without hearing the petitioner the respondents resorted to refix the pay and withdrawal of addition increment. Accordingly, Annexures P5 (Colly) dated 02.09.2009, 31.07.2014 and 30.09.2014 are hereby set aside. Reserving liberty to the official respondents to proceed in accordance with law, namely, by issuing show cause notice to the petitioners and obtaining their explanation for refixation of pay and

withdrawal of increment as well. After receipt of explanation from the petitioner, the concerned respondent is permitted to pass speaking order.

In view of the above, the civil writ petition is allowed.

(P. B. BAJANTHRI)
JUDGE

24.04.2017

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Whether speaking/non-speaking : Yes/No
Whether reportable : Yes/No