

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

**CWP No. 16804 of 2017
DECIDED ON: July 31, 2017**

JAGDISH CHANDER, HPS (RETD.)

.....PETITIONER...

VERSUS

STATE OF HARYANA AND OTHERS

.....RESPONDENTS..

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Vikas Garg, Advocate
for the petitioner.

JASPAL SINGH, J (ORAL)

By virtue of instant petition preferred under Article 226 of the Constitution of India, petitioner has sought issuance of a writ in the nature of certiorari to quash order Endst. No.2/19/2010-1HGI dated 01.09.2014 (Annexure P-14) to the extent actual benefits of pay and allowances not granted rather notional benefits granted and consequential order No.Endst. No.5329-31/A-1 dated 29.09.2014 (Annexure P-15) vide which Inspector General of Police, Police Training College, Sunaria Rohtak his pay was fixed by granting notional fixation of pay, order No.12/2/2015-1HGI dated 28.05.2015 to the extent he was granted notional benefits while re-designated as Addl. Superintendent of Police instead of granting actual benefits of pay and allowances and consequential orders Endst. No.2555-58/A-1 dated 12.06.2015 (Annexure P-17) vide which he was granted notional benefits of fixation of pay

without granting actual benefits of pay and allowances. Further directing the respondents to grant actual benefits of pay fixation and allowances in the rank of Deputy Superintendent and Addl. Superintendent of Police and to release the arrears of pay and allowances along with interest @ 18% per annum till the date of realization.

2. The contention of learned counsel for the petitioner is that though the petitioner has been granted all consequential benefits by Additional Chief Secretary to Govt. Haryana, Home Department vide order dated 19.05.2014, but vide letter dated 27.08.2014, it has been ordered that the petitioner shall not be entitled to arrears of pay ante-dated promotion as DSP. The order dated 27.08.2014 is absolutely contrary to the order passed by Additional Chief Secretary, dated 19.05.2014.

3. Learned counsel for the petitioner submits that though representation dated 19.02.2015 (Annexure P-18) was moved to the concerned authorities in respect of above contradictory order passed by the Additional Chief Secretary but till date no conscious decision has been taken.

4. Instant petition is disposed of with a direction to the respondent(s) to look into the grievances unfolded by the petitioner in his representation dated 19.02.2015 (Annexure P-18) and to decide the same, in accordance with law, within a period of two months from the date of receipt of certified copy of this order.

July 31, 2017
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(JASPAL SINGH)
JUDGE

Whether speaking/reasoned ***Yes***

Whether reportable ***Yes/No***