

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

-:-

C.W.P No. 20600 of 2017 (O&M)

Date of decision: 12.09.2017

Shamsher Singh

...Petitioner

Vs.

State of Haryana & Anr.

...Respondents

CORAM: HON'BLE MR. JUSTICE G.S.SANDHAWALIA

Present: Mr. Madan Pal, Advocate, for the petitioner.

G.S.SANDHAWALIA, J. (Oral).

By way of the instant petition filed under Articles 226/227 of the Constitution of India, the petitioner seeks a direction to the respondents to fix the pay of the petitioner at par with the junior driver and in alternative direction to take appropriate decision on legal notice dated 10.01.2017 (Annexure P/3).

It is the petitioner's case that he was initially appointed as Laskar in the office of respondent No.2 and then promoted as driver on 16.04.1990, whereas junior Jai Bhagwan was appointed as driver on 04.11.1991. It is also contended that on earlier occasion petitioner was given the benefit of stepping up on 31.01.2007 (Annexure P/2) and accordingly, reference is made to Annexure P/4 to show the anomaly of earning lesser pay in comparison to the junior, who is now earning Rs.20,910/- whereas the petitioner's pay is fixed at Rs.19,920/-.

Notice of motion.

Mr. Harish Rathee, Sr. DAG, Haryana, accepts notice on behalf of the respondents. Copy of the paper-book has been supplied to him.

Keeping in view the controversy, this Court is of the opinion that no useful purpose would be served by calling for reply, since the decision making is still not complete and it would only delay the proceedings.

Accordingly, without commenting upon the merits of the case, the present writ petition is disposed of, with a direction to respondent No.2 to take a decision on a legal notice 10.01.2017 (Annexure P/3), within a period of 3 months. In case any adverse order is to be passed, same should contain reasons and be conveyed to the petitioner.

September 12, 2017
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(G.S. SANDHAWALIA)
JUDGE

Whether speaking/reasoned : Yes/No
Whether Reportable : Yes/No