

CWP-3205-2014
Decided on 23.01.2017

UNION OF INDIA & OTHERS **....RESPONDENTS**

By this petition the petitioners have challenged the order Annexure P-14, P-16 and P-21 whereby their request for maintaining the pay equation between them and firemen has been disturbed. The primary ground taken is that in the year 1974 when the pay scales were equated on the orders of the Government of India the entire case have been processed by the Chandigarh Administration and now by the impugned non-speaking orders the prayer for the same benefits has been declined. In the written statement it was mentioned that during the pendency of this writ petition the claim of the petitioners was put before the Anomaly Committee and reliance has been placed on the order Annexure R-3 which were the minutes of the Anomaly committee held on 04.02.2015. Learned counsel for the petitioners has argued that even

these recommendations do not at all deal with the issues which were raised by the administration itself at the time when the pay scale were equated.

In my opinion, this argument cannot be brushed aside lightly. Resultantly, the orders Annexure P-14, P-16 and P-21 and the minutes of the Anomaly committee (i.e. so far as they relate to the petitioner) is quashed and direction is issued to respondent No.2 to decide the matter afresh after keeping in mind the factors which had prevailed upon it to recommend and process the case in the year 1974. Fresh speaking order be passed within a period of 03 months from the date of receipt of this copy and in case the petitioners are found entitled to any relief the same be granted within 01 month thereafter. It is made clear that if any due relief is not granted, petitioners would be entitled to claim interest @ 12 % per annum on the amount/s from the date/s it fell due.

23.01.2017
anuradha

(AJAY TEWARI)
JUDGE

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Whether speaking/reasoned	-	Yes/No
Whether reportable	-	Yes/No