

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

Sr. No.118

Civil Writ Petition No.12283 of 2018
DECIDED ON: May 16, 2018

BRAHM PARKASH AND OTHERS

..PETITIONERS

VERSUS

STATE OF HARYANA AND OTHERS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Shalender Mohan, Advocate,
for the petitioners.

JASPAL SINGH, J. (ORAL)

Through the instant civil writ petition, preferred under Articles 226/227 of the Constitution of India, petitioners have sought the issuance of a writ especially in the nature of Certiorari quashing grant of lower grade pay to the category of petitioners, as compared to Juniors of them being patently illegal, arbitrary and against the directive issued by the Hon'ble Supreme Court and petitioners are entitled to get pay scale of 1600-2900 w.e.f. 01.01.1986 instead of 1426 and pay scale 2000-3500 w.e.f. 01.05.1990 instead of 1400-2600 and pay scale of 2000-3500 from 24.11.1994 instead of 2000-3200, as the juniors were getting the higher pay scale and they have been granted lower pay scale which is totally against the principle of natural justice and against the provision of Article 14 & 16 of the Constitution of India along with all consequential benefits and arrears

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with interest @ 18% per annum as well as to fix the basic pay scale as per P-17 dated 28.11.2016 and P-18 dated 16.11.2016 in equivalent to junior namely Sh.Som Datt, whose pay has been fixed more than the petitioners and to refix their pension after granting the above said benefit from 01.01.1986.

2. Learned counsel for the petitioners contends that though various representations/legal notices including latest legal notice dated 12.03.2018 (P-22) were made to the respondents but till date no response has been received by the concerned authorities. He further submits that petitioners feel satisfied in case a direction is issued to respondents to decide the legal notice (P-22) in a time bound manner.

3. Without expressing any opinion on the merits of the case, instant petition is disposed of with a direction to respondents to look into the grievances unfolded by the petitioners in the legal notice dated 12.03.2018 (P-22) and to take a conscious decision by passing a speaking order considering all the facts narrated in the aforesaid legal notice (P-22), within a period of four months from the date of receipt of a certified copy of this order.

4. However, if petitioners still feel aggrieved by any of the orders passed by the aforesaid authority, they shall be at liberty to have recourse to the other remedies available under law as well as to approach this Court.

May 16, 2018

Ankur

**(JASPAL SINGH)
JUDGE**

**Whether speaking/reasoned
Whether reportable**

**Yes
Yes/No**