

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No.20116 OF 2017
DECIDED ON: AUGUST 21, 2018

BALRAJ SINGH

.....PETITIONER..

VERSUS

STATE OF PUNJAB AND ORS.

.....RESPONDENTS..

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Daman Dhir, Advocate,
for the petitioner.

Mr. Charanpreet Singh, AAG, Punjab.

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 mandamus, directing the respondents to remove anomaly in the pay scale of the petitioner as has already been provided to the similarly situated employees vide judgment dated 29.03.2016 rendered in CWP No.13262 of 2012, titled as ***“Narinder Pal Singh and others v. State of Punjab and others”*** and other connected petitions. AS WELL AS for issuance of direction to respondents to grant arrears after refixation of pay and pension alongwith interest @ 12% per annum along with other consequential benefits.

2. At the very outset, it has emerged that prior to the filing of instant petition, petitioner served legal notice dated 16.04.2017 (P-6) to Director (Transport), Government of Punjab, Chandigarh, which has neither been

responded nor any conscious decision has been taken.

3. Learned counsel for the petitioner further submits that petitioner feels satisfied in case direction is issued to respondent(s) to consider his claim which has already been granted to the similarly situated employees in the above said writ petition referred to above in para No.1 of this order and the matter can be conveniently disposed of.

4. Without expressing any opinion on the merits of the case, instant petition is disposed of with the direction to respondent No.3-Director, State Transport, Jeevandeep Building, Sector 17, Chandigarh to consider the claim of the petitioner in the light of judgment referred to above in para 1 of this order, within a period of three months from the date of receipt of certified copy of this order. In case, the concerned authority comes to the conclusion that petitioner is entitled to the benefit claimed through legal notice, the same shall be calculated and paid to the petitioner within a period of next 45 days.

5. As far as grant of interest on delayed payment is concerned that shall also be considered in view of the observations made by Full Bench of this Court in case captioned as ***“R.S. Randhawa vs. State of Punjab, 1997 (3) RSJ 318*** as well as Punjab Govt. Instructions No.1/15/90IFPIII/4226, dated 10.05.1990.

6. However, if the petitioner still feels aggrieved against any of the order passed by the concerned authority, he shall be at liberty to approach this Court as well as to have recourse to the other remedies available under law.

AUGUST 21, 2018
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(JASPAL SINGH)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes</i>
<i>Whether reportable</i>	<i>Yes/No</i>