

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(109)

CWP No. 19708 of 2018 (O&M)
Date of Decision : 21.11.2018

Tarsem Lal sharma

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. R.K. Arora, Advocate for the petitioner.

Harsimran Singh Sethi, J.(Oral)

CM-14748-CWP-2018

Application is allowed, as prayed for.

Documents as Annexures P-13 to P-16 are taken on record,
subject to all just exceptions.

Main Case

The present writ petition has been filed challenging order dated 28.04.2017 (Annexure P-6) as well as order dated 23.03.2018 (Annexure P-10) by which the arrears as well as interest on the delayed release of retiral benefits on account of retrospective promotion granted to the petitioner, have been denied.

The contention which has been raised by learned counsel for the petitioner is that some similarly situated persons have been given the benefit of arrears, whereas the petitioner has been denied the same and thus the action is discriminatory.

Learned counsel for the petitioner states that in respect of the claim which has been made in the present writ petition, the petitioner has filed an appeal/representation to the higher authority on 26.04.2018, which

has been appended as Annexure P-11. Learned counsel further states that the petitioner will be satisfied in case a direction is given to the authority to whom Annexure P-11 has been addressed, to decide the same in a time bound manner.

Keeping in view the request made by learned counsel for the petitioner and without expressing any opinion on the merits of the case as well as the claim being made by the petitioner, the present writ petition is disposed of with a direction to the authority to whom Annexure P-11 is addressed, to decide the same within a period of three months from the date of receipt of certified copy of this order. It will be appreciated, in case a personal hearing is also given to the petitioner before deciding the case.

In case, it is found that the petitioner is entitled for any monetary benefits, the same should also be released to him within a period of next three months.

The petition stands disposed of accordingly.

November 21, 2018
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned? *Yes/No*
Whether reportable? *Yes/No*