

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH****Date of decision: 07.03.2018****CWP No.5422 of 2018**

Ram Swaroop & another

...Petitioners

Vs.

State of Haryana & others

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJIV NARAIN RAINAPresent: M/s Subhash Ahuja and Karanveer Ahuja, Advocates,
for the petitioners.**RAJIV NARAIN RAINA, J. (ORAL)**

The dispute in this petition relates to stepping up of pay at par with juniors which may require resolution in the light of policy instructions dated 16.12.2010 read with instructions dated 27.01.2015 (at Annex P-9).

Both the petitioners have served separate legal notices on the respondent Authority for a decision, but no action has been taken thereon for redressing the grievance.

Without expressing any opinion on the merits of the case, a direction is issued to respondent No.2 – Director, Secondary Education, Haryana to consider and decide the legal notice(s) (Annex P-10) either by separate orders or by common order in accordance with law.

In case, the petitioners' grievance is found genuine and bona fide, speaking order would not be required and the monetary benefits can be passed on. It is only if an order adverse to the interest of the petitioners is proposed, then the respondent-authority would hear the petitioners and pass a comprehensive order assigning reasons in support of the conclusions.

Let the exercise be completed within one month from the date of receiving of certified copy of this order. In case, hearing of the petitioners is necessary, then order be passed within one month thereafter. In the event, the petitioners are found entitled to the stepping of pay, then arrears be calculated and paid to them within the next two months. However, actual payment is restricted to the three years prior to the filing of the petition and the previous years will carry only notional benefits.

With these observations and directions, the petition stands disposed of.

07.03.2018
Vimal

[RAJIV NARAIN RAINA]
JUDGE

Whether speaking/reasoned:
Whether Reportable:

Yes/No
Yes/No