

CWP No.6280 of 2018

DECIDED ON: MARCH 14, 2018

MOHAN LAL & ORS

.....PETITIONERS

VERSUS

STATE OF HARYANA & ORS

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Vivek Aggarwal, Advocate for
Mr. J.L. Goyal, Advocate
for the petitioners.

JASPAL SINGH, J (ORAL)

By virtue of instant petition preferred under Articles 226/227 of the Constitution of India, petitioner has sought a writ in the nature of mandamus directing the respondents to re-fix their pay step-up equal to their junior counterparts w.e.f. 01.01.1996 i.e. the date of anomaly, where the pay of their junior has been fixed at higher stage due to the revised pay Rules, 1998, applicable w.e.f. 01.01.1996 vide which the pay of the junior employee has been fixed higher than the petitioners who were appointed prior to the junior counterpart, with all consequential benefits i.e. arrears of pay, interest etc.

2. At the very outset learned counsel for the petitioners has submitted that though a legal notice dated October 16, 2017 (P-3) was served upon the respondent No.1 and 2 but despite the fact that a period of more than four months has elapsed, no action has been taken on the afore-said legal notice. He further submits that he feels satisfied in case a direction is issued to respondents to consider and decide the legal notice (P-3) within 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 particularly to respondent No.2 to look into the grievances unfolded by the petitioners in the legal notice dated October 16, 2017 (P-3) in accordance with law, rules and regulations and instructions issued by the Government from time to time that too, by passing a speaking order considering all the facts narrated in the aforesaid legal notice (P-3) within a period of four months from the date of receipt of certified copy of this order.

4. In case, petitioners still feels aggrieved by any order of the afore-said authority they shall be at liberty to have recourse to the other remedies available under law including to approach this Court.

MARCH 14, 2018
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(JASPAL SINGH)
JUDGE

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