

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No. 37609 of 2018
Date of Decision : 19.12.2018

Santosh Kumari

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: *HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI*

Present: Mr. G.S. Bajwa, Advocate and
Mr. R.K. Vashishtha, Advocate for the petitioner.

Harsimran Singh Sethi, J.(Oral)

In the present writ petition, the petitioner is claiming the step up of her salary equivalent to her juniors, whose description has been given by the petitioner in para 8 and para 10 of the writ petition.

A bare perusal of para 8 would show that petitioner-Santosh Kumari was getting higher pay than one Gurpreet Kaur as well as one Smt. Rani as on 01.10.1996. Even in the next year, the petitioner was getting a salary of ₹5850/-, which was higher than the above mentioned two employees.

Learned counsel for the petitioner contends that in the year 2009, while implementing the pay revision, higher pay was given to Gurpreet Kaur as well as Smt. Rani and lesser pay was given to the petitioner, who was their senior and, therefore, as per the instructions issued by the Govt. of Haryana, wherein the senior employee, who was getting

lesser salary than his juniors, was entitled for the step up of her pay.

Learned counsel for the petitioner states that for the relief, which has been claimed in the present writ petition, the petitioner has served the respondents with a legal notice dated 02.04.2018 (Annexure P-10) which is still pending consideration and the petitioner will be satisfied at this stage, in case a time bound direction is given to the respondents to decide the legal notice by passing a speaking order.

Without going into the merits of the case or expressing any opinion to the entitlement of the petitioner in respect of the claim prayed in the present writ petition or in the legal notice, the present writ petition is disposed of with a direction to the respondents to pass an appropriate speaking order on the claim raised by the petitioner in the legal notice dated 02.04.2018 (Annexure P-10) within a period of three months from the date of receipt of certified copy of this order.

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

The writ petition stands disposed of.

December 19, 2018
kanchan

(HARSIMRAN SINGH SETHI)
JUDGE

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