

**IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH.**

**(129)**

**CWP-37823-2018**

**Date of Decision: December 20, 2018**

**Jarnail Singh**

**..Petitioner**

**Versus**

**State of Haryana and others**

**..Respondents**

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

Present: Mr. Jaspal Singh Maanipur, Advocate, for the petitioner.

**HARSIMRAN SINGH SETHI, J.(ORAL)**

In the present case, the petitioner has approached this Court with a grievance that on the day when the petitioner retired i.e. 30.09.2008, the basic pay of the petitioner was Rs.30,330/- and keeping in view the fitment table Annexure P-3, the employees whose basis salary was Rs.30,040/- between 01.01.2006 to 31.12.2015, were given the notional basic pay of Rs.78,500/- as on 01.01.2016. This benefit of Rs.78,500/- has been extended to the petitioner but the contention of the petitioner is that as the salary of the petitioner was more than Rs.30,040/-, he should have been given the fitment in the next serial number for which the petitioner was entitled for the notional basic pay of Rs.80,900/-.

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 01.10.2018 (Annexure P-5). He further states that the petitioner will be satisfied, at this stage, in case a time bound direction is issued to the respondents to decide the legal notice dated 01.10.2018 (Annexure P-5) by passing a speaking order.

Without commenting upon the merits of the case or about the entitlement of the petitioner for the relief which has been claimed by him in the legal notice dated 01.10.2018 (Annexure P-5), the present writ petition is disposed of with a direction to the respondents to decide the legal notice dated 01.10.2018 (Annexure P-5) within a period of three months from the receipt of certified copy of this order.

In case, it is found that the petitioner is entitled to any monetary benefits after the decision of the legal notice, the same should also be paid to the petitioner within three months thereafter.

**December 20, 2018**  
*harsha*

**(HARSIMRAN SINGH SETHI)**  
**JUDGE**

|                            |        |
|----------------------------|--------|
| Whether speaking/reasoned: | Yes/No |
| Whether reportable:        | Yes/No |