

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

(147)

CWP-38083-2018

Date of Decision: December 21, 2018

Jugal Kishore

..Petitioner

Versus

State of Haryana and others

..Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Anil Shukla, Advocate, for the petitioner.

HARSIMRAN SINGH SETHI, J.(ORAL)

Learned counsel for the petitioner states that the petitioner was senior to one Sh. Bir Singh, Mechanic. Sh. Bir Singh was getting higher pay than the petitioner for which, the petitioner filed CWP No.20193 of 2009. After the said writ petition was decided, vide order dated 17.06.2010, respondents fixed the salary of Sh. Bir Singh lower than the petitioner and declined to grant benefit to the petitioner.

Learned counsel for the petitioner states that vide order dated 04.04.2016, the salary of Sh. Bir Singh has again been enhanced and he has been given more salary than the petitioner and therefore the pay of the petitioner should also be step up.

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 legal notice dated 10.01.2018 and 01.10.2018 (Annexures P-6 and P-7) respectively. 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 10.01.2018 and 01.10.2018 (Annexures P-6 and P-7) respectively 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 10.01.2018 and 01.10.2018 (Annexures P-6 and P-7) respectively, the present writ petition is disposed of with a direction to the respondents to decide the legal notice dated 10.01.2018 and 01.10.2018 (Annexures P-6 and P-7) respectively 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.

(HARSIMRAN SINGH SETHI)
JUDGE

December 21, 2018
harsha

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