

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-8526-2019

Date of decision: - 29.03.2019

Nazar Singh and others

...Petitioners

Versus

State of Punjab and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Nitesh Singla, Advocate, for the petitioners.

HARSIMRAN SINGH SETHI, J. (ORAL)

Counsel for the petitioners states that the petitioners were entitled for the higher pay-scale in view of the higher qualification as held by this Court while deciding CWP No.3931 of 1992 titled as 'Baldev Raj Mittal and others Vs. State of Punjab and others', decided on 15.04.2009.

Present petitioners have already been retired and this writ petition has been filed after their retirement. No justification has been given as to why the petitioners waited for such a long time before approaching this Court.

Counsel for the petitioners states that for the relief which has been sought in the present writ petition, the petitioners have served the respondents with a legal notice on 21.01.2019 (Annexure P-7), which is still pending consideration with the respondents and the petitioners will

be satisfied, at this stage, in case a time bound direction is issued to the respondents to decide the said legal notice.

In view of the request made, without expressing any opinion on the merits of the case or the claim being made by the petitioners, the respondents are directed to decide the legal notice dated 21.01.2019 (Annexure P-7) by passing a speaking order within a period of three months from the date of receipt of a certified copy of this order. In case after the decision, it is found that the petitioners are entitled for any monetary benefit, the same shall also be released to them within a period of next three months.

It is made clear that in case the petitioners are found entitled for the relief as being claimed by them, the arrears will only be restricted upto three years and two months prior to the date of filing of the present writ petition.

Present writ petition stands disposed of.

March 29, 2019
naresh.k

(HARSIMRAN SINGH SETHI)
JUDGE

Whether reasoned/speaking?	Yes
Whether reportable?	No