

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No. 11115 of 2019
Date of Decision : 30.04.2019

Jai Parkash Sharma

...Petitioner

Versus

State of Haryana and another

...Respondents

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

Present: Mr. Aditya Yadav, Advocate for the petitioner.

Harsimran Singh Sethi, J.(Oral)

In the present writ petition, the grievance of the petitioner is that his pay has been wrongly fixed in the Cadre of Manager Grade-III.

Learned counsel for the petitioner states that petitioner was working in the pay scale of 1640-2900 and the said scale was revised to 5500-9000 w.e.f. 01.01.1996 but the petitioner was not granted the said scale by the department without any valid justification. Learned counsel for the petitioner further states that while petitioner was in service, he had represented to the department for rectification of the mistake and for granting him the pay scale of 5500-9000 w.e.f. 01.01.1996 but the said request was never accepted and ultimately, the petitioner submitted a representation on 13.03.2018 (Annexure P-4). As the said representation was also not decided, the petitioner served the respondents with a legal notice dated 07.03.2019 (Annexure P-6).

Learned counsel for the petitioner states that petitioner will be satisfied, at this stage, in case a time bound direction is issued 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 relief claimed 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 07.03.2019 (Annexure P-6) within a period of three months from the date of receipt of certified copy of this order.

However, it is made clear that in case it is found that the petitioner was entitled for the relief, the arrears, if any, shall be restricted to 3 years and 2 months prior to the filing of the present writ petition.

Writ petition stands disposed of.

April 30, 2019
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(HARSIMRAN SINGH SETHI)
JUDGE

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