

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

(124)

CWP-12488-2019

Date of Decision: May 13, 2019

Tain Singh and others

.. Petitioners

Versus

Punjab School Education Board and another

.. Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Vikas Chatrath, Advocate, for the petitioners.

HARSIMRAN SINGH SETHI, J.(ORAL)

Counsel for the petitioners argues that the Assistant Secretaries working in the respondent Board are promoted from the post of Superintendent. The post of Superintendent is carrying a higher pay-scale than the promoted post, due to which an anomaly occurs as and when a Superintendent is promoted to the post of Assistant Secretary, his pay is reduced rather than getting increased. The said anomaly is already under consideration before the Board and during the interregnum, the Board passed a resolution on 17.11.2016 to the effect that during the pendency, till any final order is passed for removing the anomaly, the pay of the Superintendent, on promotion, will be protected.

Counsel for the petitioners states that though the said resolution has been passed by the Board, which has been duly accepted by the Chairman also, but the same has not been implemented by the respondents so far and the petitioners, who retired as Assistant Secretary, are being given lesser pay and pensionary benefits due to the said fact.

Counsel for the petitioners states that for the relief of protection of pay and pension, which the petitioners were drawing as Superintendent, while working as Assistant Secretary, the petitioners have served the respondents with a legal notice on 10.01.2019 (Annexure P-8), 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 10.01.2019 (Annexure P-8) 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.

Present writ petition stands disposed of.

(HARSIMRAN SINGH SETHI)
JUDGE

May 13, 2019
harsha

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