

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

**CWP No. 12605 of 2019
Date of Decision : 14.05.2019**

Usha Sharma

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Sandeep Panwar, Advocate for the petitioner.

Harsimran Singh Sethi, J.(Oral)

In the present writ petition, the grievance of the petitioner is that she is getting lower pay as compared to Sh. Suraj Bhan, who was junior to the husband of the petitioner and granted higher pay by an order dated 29.12.2017 (Annexure P-3).

Learned counsel for the petitioner states that even the Government had written a letter dated 03.08.2018 (Annexure P-5) to the Engineer-in-Chief for fixing the pay of the employees, who were senior to Suraj Bhan, equivalent to the pay given to him. In compliance of the said direction, Engineer-in-Chief passed an order dated 15.01.2019 (Annexure P-6) granting the late husband of the petitioner higher pay i.e. equivalent to Suraj Bhan.

Learned counsel for the petitioner states that the said order is not being implemented by the respondents on the ground that the Finance

Department has not approved the said grant of higher pay so far.

Learned counsel for the petitioner further states that the petitioner has served upon the respondents a legal notice dated 01.04.2019 (Annexure P-8) for implementation of the order dated 15.01.2019 (Annexure P-6) and the petitioner will be satisfied, at this stage, in case a time bound direction is issued to the respondents to decide the said legal notice by passing a speaking order.

Notice of motion.

Mr. C.S. Bakhshi, Additional Advocate General, Haryana, accepts notice on behalf of the respondents-State keeping in view the advance copy served to him. He states that the State has no objection to the prayer of the petitioner for deciding her legal notice dated 01.04.2019 (Annexure P-8) at this stage.

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 01.04.2019 (Annexure P-8) within a period of three months from the date of receipt of certified copy of this order.

The writ petition stands disposed of.

May 14, 2019
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(HARSIMRAN SINGH SETHI)
JUDGE

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