

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CWP No. 13039 of 2019

Date of Decision : 17.05.2019

Janak Raj Mittal

...Petitioner

Versus

State of Punjab and others

...Respondents

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

Present: Mr. Pawan Kumar Goklaney, Advocate and  
Mr. Arvinder Singh, Advocate for the petitioner.

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**Harsimran Singh Sethi, J.(Oral)**

In the present writ petition, the claim which is being made by the petitioner is for the grant of higher pay scale in view of higher qualification keeping in view the decision rendered by this Court in CWP No. 3931 of 1992, titled as ***Baldev Raj Mittal and others Vs. State of Punjab and other***, decided on 15.04.2009.

The claim is w.e.f. 1971 when the petitioner had got the higher qualification but no justification has been given as to why no grievance was raised by the petitioner for more than 45 years as the present writ petition has been filed in the year 2019.

Learned counsel for the petitioner prays that for the relief, which has been claimed in the present writ petition, the petitioner has served the respondents with a legal notice dated 07.01.2019 (Annexure P-7) and the 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 07.01.2019 (Annexure P-7) within a period of three months from the date of receipt of certified copy of this order.

In case after the passing of the order as directed above, it is found that petitioner is found entitled for any benefit, the same will be given notionally upto the filing of the present writ petition.

The writ petition stands disposed of.

**May 17, 2019**  
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**(HARSIMRAN SINGH SETHI)**  
**JUDGE**

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