

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

(146)

CWP-14408-2019

Date of Decision: May 27, 2019

Santa Singh and others

.. Petitioners

Versus

State of Punjab and others

.. Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. R.S. Rangpuri, Advocate, for the petitioners.

HARSIMRAN SINGH SETHI, J.(ORAL)

In the present writ petition, the grievance of the petitioners is that some similarly situated personnel who had filed **CWP No.7005 of 2001, titled as Joga Singh and others vs. State of Punjab and others, decided on 03.04.2014** were granted the benefit of higher pay scale of Rs.3120-6200 w.e.f. 01.01.1996. There is no averment as to why, the petitioners did not agitate the same when they were in service. The petitioners have retired and are no longer in service of the respondents. For the first time, a legal notice was sent by the petitioners on 13.03.2019 claiming the benefit, as being claimed in this petition.

A bare perusal of the averment made in the writ petition would show that the pay scales which were granted w.e.f. 01.01.1996, the relief is being sought in the year 2019 and that too only when some similarly situated personnel who agitated the matter when they were in service, have succeeded.

Learned counsel for the petitioners prays that at this stage, the petitioners will be satisfied, in case a time bound direction is issued to the respondents to decide their legal notice dated 13.03.2019 (Annexure P-9) by

passing an appropriate speaking order.

Without commenting upon the merits of the case or about the entitlement of the petitioners for the relief which has been claimed by them in the legal notice dated 13.03.2019 (Annexure P-9), the present writ petition is disposed of with a direction to the respondents to decide the legal notice dated 13.03.2019 (Annexure P-9) within a period of three months from the receipt of certified copy of this order.

However, it is made clear that the petitioners, who did not agitate the matter till the year 2019, will only be entitled for notional fixation of their pay, in case it is found that the petitioners are entitled for the benefit in terms of the judgment in **CWP No.7005 of 2001, titled as Joga Singh and others vs. State of Punjab and others, decided on 03.04.2014,** till the filing of the legal notice.

May 27, 2019
harsha

(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned:	Yes
Whether reportable:	No