

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

(269)

CWP-10106-2017

Date of Decision: March 07, 2019

Subhash Chander Mehta

.. Petitioner

Versus

State of Haryana and ors

.. Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Ashwani Kumar Pupneja, Advocate, for the petitioner.

Mr. Charanjit Singh Bakhshi, Addl. A.G., Haryana.

Mr. Padamkant Dwivedi, Advocate, for respondent No.2.

HARSIMRAN SINGH SETHI, J.(ORAL)

In the present writ petition, the grievance which has been raised by the petitioner is that he is entitled for the benefit of a higher pay scale w.e.f. 01.01.1986, which has been released to the similarly situated employees keeping in view the order passed by this Court in **CWP No.1909 of 1995 titled as Raghbir Sharma and others Vs. State of Haryana and others, decided on 07.01.2015.**

The present writ petition was filed in the year 2017 and even after expiry of approximately two years, no reply has been filed on behalf of the respondents controverting the averments made in the writ petition.

In the present writ petition, the petitioner has clearly stated in paragraph 8 that the case of the petitioner is squarely covered by the decision rendered by this Court in **CWP No.1909 of 1995 titled as Raghbir Sharma and others Vs. State of Haryana and others, decided on 07.01.2015,** wherein the similarly situated employees as the petitioner, have been granted the higher pay scale.

Learned counsel for the petitioner states that though the reply has not been filed but the legal notice submitted on behalf of the petitioner dated 23.02.2017 (Annexure P-9) is still pending consideration with the respondents for passing appropriate orders.

Learned counsel for the respondents further states that the appropriate order will be passed in respect of the relief claimed by the petitioner in the present writ petition in the light of the decision rendered by this Court in **CWP No.1909 of 1995 titled as Raghbir Sharma and others Vs. State of Haryana and others, decided on 07.01.2015,** wherein the same relief has been extended to the similarly situated persons by deciding the legal notice.

Keeping in view the undertaking given by counsel for the respondents, this petition is disposed of with a direction to the respondents to pass an appropriate order in respect of the claim raised by the petitioner in the legal notice dated 23.02.2017 (Annexure P-9) within a period of two months from today.

In case, it is found that the petitioner is entitled for the relief in view of the order passed by this Court in **CWP No.1909 of 1995 titled as Raghbir Sharma and others Vs. State of Haryana and others, decided on 07.01.2015,** the same shall also be extended to the petitioner within a period of one month thereafter.

(HARSIMRAN SINGH SETHI)
JUDGE

March 07, 2019
harsha

Whether speaking/reasoned: Yes
Whether reportable: No