

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-20247-2019

Date of decision: - 24.07.2019

Gursarn Singh and others

....Petitioners

Versus

Punjabi University Patiala and another

.....Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Hardeep Singh, Advocate, for the petitioners.

HARSIMRAN SINGH SETHI, J. (ORAL)

The grievance which is being raised by the petitioners is that they are entitled for the step up of their pay equivalent to reserve category junior persons, who were granted the promotion on the basis of reservation in preference to them, but they had caught the said reserve category candidates on higher post and therefore, in view of the law laid down by the Hon'ble Supreme Court in **Ajit Singh Januja Vs. State of Punjab and others, 1996(2) SCC 715**, petitioners are entitled for step of their pay keeping in view the instructions issued by the Government of Punjab dated 14.03.2017, which have been duly adopted by the respondent-University.

Counsel for the petitioners states that for the relief which has been sought in the present writ petition, petitioners have served the respondents with a legal notice dated 26.04.2019 (Annexure P-14) (though wrongly mentioned as 24.06.2019 in Index), which is still

pending consideration with the respondents 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.

Notice of motion.

Keeping in view the advance copy supplied to the respondents, Mr. Ajaivir Singh, Advocate, accepts notice on behalf of the respondent(s)-University and he states that the respondents have no objection in case the prayer of the petitioners for deciding the legal notice dated 26.04.2019 (P-14) in a time bound manner is accepted

Without going into the merits of the case or expressing any opinion to the entitlement of the petitioners 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 petitioners in the legal notice dated 26.04.2019 (P-14) within a period of three months from the date of receipt of certified copy of this order.

It is made clear that in case the petitioners are found entitled for the relief as being claimed by them, the arrears will only be restricted upto three years and two months prior to the date of filing of the legal notice dated 26.04.2019 (P-14).

Present writ petition stands disposed of.

(HARSIMRAN SINGH SETHI)
JUDGE

July 24, 2019
naresh.k

Whether reasoned/speaking?
Whether reportable?

Yes
No