

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

(111)

CWP-21223-2019

Date of Decision: September 17, 2019

Udai Ram

.. Petitioner

Versus

State of Haryana and others

.. Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Jai Singh Yadav, Advocate, for the petitioner.

HARSIMRAN SINGH SETHI, J.(ORAL)

Learned counsel for the petitioner argues that the petitioner was senior to one Smt. Angoori Devi as the seniority position of Smt. Angoori Devi was at Sr. No.364 whereas petitioner was senior to her in the said seniority list but still he was being paid lesser salary than his junior Smt. Angoori Devi.

Learned counsel for the petitioner argues that the petitioner being senior to Smt. Angoori Devi, was entitled to step up of his pay equivalent to his junior and a similar claim was raised by other similarly situated employees before this Court by filing **CWP No.9918 of 2013 titled as Jaswant Singh and others Vs. State of Haryana and others**, claiming the step-up of their pay equivalent to Smt. Angoori Devi, which was allowed by this Court on 01.05.2015. Thereafter, another set of similarly situated employees who filed CWP No.699 of 2016, decided on 06.02.2018, were also granted the same benefit as granted to the petitioners in **Jaswant Singh's case (supra)**.

Learned counsel for the petitioner argues that the respondents are forcing everyone to approach this Court for claiming the relief though,

similarly situated employees are entitled for the same benefit and the respondents were under obligation to release the same to all the concerned without forcing them to approach this Court.

Learned counsel for the petitioner states that for the relief which has been claimed in the present writ petition, the petitioner has served the respondents with a legal notice dated 27.05.2019 (Annexure P-3) 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 by passing an appropriate speaking order.

Without commenting upon the merits of the case or about the entitlement of the petitioner for the relief which has been claimed by him in the legal notice dated 27.05.2019 (Annexure P-3), the present writ petition is disposed of with a direction to the respondents to decide the legal notice dated 27.05.2019 (Annexure P-3), within a period of three months from the receipt of certified copy of this order.

In case, it is found that the petitioner is entitled for any monetary benefits after the decision of the legal notice, the same should also be paid to him within three months thereafter.

(HARSIMRAN SINGH SETHI)
JUDGE

September 17, 2019
harsha

Whether speaking/reasoned: Yes
Whether reportable: No