

(213) IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No.840 of 2016

Date of decision: 11.04.2019

Nand Pal.

.... Petitioner

Versus

State of Haryana and others.

.... Respondents

BEFORE: HON'BLE MR. JUSTICE B.S. WALIA.

Present: Mr. Tapan Kumar, Advocate for
Mr. Jai Vir Yadav, Advocate for the petitioner.

Mr. Harish Rathee, Sr. DAG, Haryana.

B.S. WALIA, J. (ORAL)

[1] Relief claimed in the writ petition is confined to the issuance of directions to the respondents to consider the claim of the petitioner as per legal notice dated 12.08.2015 (Annexure P4) and to pay him arrears of salary along with interest for the post of Store Purchase Officer (SPO) from the date the petitioner was given the current duty charge of said higher post.

[2] Learned counsel for the petitioner relies upon the decision of a Co-ordinate Bench of this Court in CWP No.11667 of 2010 in case titled as Ramesh Chander vs State of Haryana and others decided on 19.08.2013 extending the benefit as has been claimed by the petitioner to an identically situated employee who had worked on the higher post of Store Purchase Officer (SPO).

[3] Despite notice of motion having been issued on 15.01.2016, no reply has been filed by the respondents till date.

[4] Learned Sr. DAG states that the writ petition can be disposed off by directing respondent Nos.2 and 3 to consider and decide the claim of the petitioner as contained in legal notice Annexure P4 dated 12.08.2015.

[5] Learned counsel for the petitioner states that he has no objection to the writ petition being disposed off in the manner proposed by the learned Sr. DAG subject to directions to consider and decide the claim of the petitioner in the light of decision of a Co-ordinate Bench of this Court in Ramesh Chander's case (supra) as well as Full Bench decision of this Court in Subhash Chander Vs. State of Haryana and others, 2012 (1) RSJ 442 in a time bound manner.

[6] In view of the statement of learned counsel for the parties, the writ petition is disposed of by directing respondent Nos.2 and 3 to consider and decide the claim of the petitioner as is contained in legal notice Annexure P-4 dated 12.08.2015 in accordance with law by passing a speaking order within three months from today. In case the petitioner is held entitled to the relief claimed, monetary benefits be released to the petitioner within four weeks thereafter.

11.04.2019

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(B.S. Walia)
Judge

1. Whether speaking/reasoned : Yes/No.
2. Whether reportable : Yes/No.