

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-25071 of 2019

Date of decision: 09.09.2019

Chander Mohan

.... Petitioner

versus

Uttar Haryana Bijli Vitran Nigam Ltd and others

... Respondents

CORAM:HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Naveen Daryal, Advocate
for the petitioner.

HARSIMRAN SINGH SETHI, J.

Counsel for the petitioner argues that the petitioner was senior to one Sunder Lal, when they were initially appointed on daily wage basis as the petitioner was appointed on 22.06.1988 and Sunder Lal appointed on 02.08.1982, though, both of them were brought on regular establishment on 01.05.1993. According to the averments, made in the writ petition, Sunder Lal belonged to reserved category and on the basis of reservation got promoted as ALM, prior to the petitioner in the year 1997 and the petitioner caught him in the said cadre of ALM on 01.12.1999. Said Sunder Lal was stepped up in the cadre of Lineman in the year 2010, in which cadre, the petitioner caught him on 04.05.2012. Though, the petitioner was to be treated senior to Sunder Lal but he was being paid less salary than Sunder Lal. Counsel argues that as per the instructions issued by Government of Haryana, the petitioner was entitled for step up of his pay equivalent to his junior and a direction needs to be issued to the respondents to step up the pay of petitioner equivalent to his junior Sunder Lal and grant him the consequential benefits.

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 legal notice dated 23.01.2018 (Annexure P-6), 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 respondents to decide the said legal notice.

In view of the request made, without expressing any opinion on the merits of the case or the claim being made by the petitioner, the respondents are directed to decide the legal notice dated 23.01.2018 (Annexure P-6), by passing a speaking order within a period of three months from the date of receipt of a certified copy of this order. In case after the decision, it is found that the petitioner is entitled for any monetary benefit, the same shall also be released to him within a period of next three months.

Present writ petition stands disposed of.

(HARSIMRAN SINGH SETHI)
JUDGE

09.09.2019
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| 1. | Whether speaking/non-speaking? | Yes/No |
| 2. | Whether reportable? | Yes/No |