

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

(126)

CWP-26649-2019

Date of Decision: September 19, 2019

Rajender Parsad

.. Petitioner

Versus

State of Haryana and others

.. Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Vikas Lochab, Advocate, for the petitioner.

HARSIMRAN SINGH SETHI, J.(ORAL)

Learned counsel for the petitioner states that the petitioner was appointed in the year 1985 and his services were regularized from the said date though, the order was passed to that effect in the year 1987. In the year 2011, the respondents sought to change the date of regularization of the petitioner from the year 1985 to 1987 and even refix the salary of the petitioner by reducing the same, which action was challenged by the petitioner by filing CWP No.20157 of 2013 alongwith other similarly situated personnel.

Learned counsel for the petitioner states that after 2011, petitioner was being paid the over time on the refixed salary. Counsel states that action of the respondents in refixation of the salary of the petitioner and withdrawing the benefit of regularization from 1985, was set aside by this Court while deciding CWP No.20157 of 2013 on 15.01.2018 and after the said order, petitioner became entitled for the grant of over time on the revised salary, which benefit has not been extended to the petitioner as the difference of the over time has not been released to the petitioner so far.

The prayer of the petitioner is for issuance of a direction to the respondents to grant the petitioner difference of the amount on account of over time which the petitioner has become entitled for keeping in view the

order passed by this Court in CWP No.20157 of 2013, decided on 15.01.2018.

Learned counsel for the petitioner states that for the relief which has been claimed in the present writ petition, the petitioner has submitted a representation dated 12.07.2019 (Annexure P-2) to the respondents, 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 representation 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 representation dated 12.07.2019 (Annexure P-2), the present writ petition is disposed of with a direction to the respondents to decide the representation dated 12.07.2019 (Annexure P-2), 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 representation, the same should also be paid to him within three months thereafter.

September 19, 2019
harsha

(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned: Yes/No
Whether reportable: Yes/No