

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

**(160)**

**CWP-27263-2019**

**Date of Decision: September 23, 2019**

**Tek Chand and another**

**.. Petitioners**

**Versus**

**State of Haryana and others**

**.. Respondents**

**CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI**

Present: Mr. S.K. Malik, Advocate, for the petitioners.

**HARSIMRAN SINGH SETHI, J.(ORAL)**

In the present writ petition, the claim which is being raised by the petitioners is that they are entitled for the selection grade of ₹2000-3200 w.e.f. 01.01.1986 keeping in view the judgment rendered by a Division Bench of this Court in **LPA No.1150 of 2012** titled as '**State of Haryana and another** Vs. **Suresh Chander and others**, decided on 15.01.2013 (Annexure P-7).

Counsel for the petitioners has not been able to explain as to why, the petitioners never raised their grievance before this Court when they were in service or immediately after their retirement. It is only in the year 2019, the present writ petition is being filed i.e. much after their retirement. No justifiable explanation has been tendered by the counsel for the petitioners.

As the present writ petition is in respect to the claim of the higher pay scale and the request of the petitioners is that the respondents be directed to decide the legal notice dated 25.07.2019 (Annexure P-9) in a time bound manner, the relief needs to be restricted, in case it is found that the petitioners are entitled for the grant of selection grade of ₹2000-3200 w.e.f. 01.01.1986.

The present writ petition is disposed of with a direction to the respondents to decide the claim of the petitioners as raised in the legal notice dated 25.07.2019 (Annexure P-9) by passing an appropriate speaking order within a period of three months from the receipt of copy of this order.

In case, after the decision rendered by the respondents on the legal notice, it is found that the petitioners are entitled for the relief as claimed by them in the legal notice, the arrears shall be restricted only to three years two months from the date of filing of the present writ petition to be released in further three months from the date of passing of speaking order.

It is made clear that this Court expresses no opinion on merits of the case or about the entitlement of the petitioners for the relief as being claimed by them in the legal notice dated 25.07.2019 (Annexure P-9) at this stage.

**(HARSIMRAN SINGH SETHI)**  
**JUDGE**

**September 23, 2019**  
*harsha*

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