

HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.27492 of 2019
Date of Decision: 25.09.2019

Boota Singh

... Petitioner

VS.

FCI & Ors.

... Respondents

CORAM: HON'BLE MR.JUSTICE G.S. SANDHAWALIA

Present: Mr. Ankit Grewal, Advocate for the petitioner

G.S. SANDHAWALIA, J. (Oral)

(1) In this writ petition under Articles 226/227 of the Constitution of India directions are sought to the respondent to refix the pay of the petitioner and pass an appropriate order. The petitioner also seeks arrears of pay from the year 2001 to 2013 along with interest @ 18% p.a. on the delayed payments from the date of accrual to the actual date of realisation.

(2) The petitioner was appointed as Assistant Gr-III(D) in the respondent-Corporation on 05.03.1981 (P1). He claims to have acquired higher educational degree after getting due permission and on that basis seeks financial benefits. The petitioner superannuated at the age of 60 years from the post of Assistant Gr.I(D) on 30.04.2017. The petitioner is stated to have made representations claiming merger of two additional increments in the higher grade as per representations dated 18.01.2017 (P7 colly) and thereafter vide representation dated 20.03.2018 (P9). Counsel submits that he would be satisfied if a direction is issued to respondent No.2 to decide his representation in a time bound manner.

(3) Notice of motion.

(4) Mr. Pranav Chadha, Advocate accepts notice on behalf of the respondents. In view of the nature of relief prayed for and also keeping in

view the fact that the decision making process is still incomplete, no useful purpose would be served by calling upon the respondents to file reply.

(5) Accordingly, without commenting upon the merits of the case and the entitlement of the petitioner to the said relief, the writ petition is disposed of with a direction to respondent No.2 to take a decision on the representation of the petitioner within 3 months from the date of receipt of certified copy of this order. Needless to say that in case the petitioner is found entitled for the said relief, the amount to which he is found payable shall be disbursed to him along with interest, expeditiously. However in case he is not found entitled to the same, a speaking order shall be passed and conveyed to the petitioner within the said time frame.

(6) The writ petition stands disposed of accordingly.

25.09.2019

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(G.S. Sandhawalia)
Judge

1. *Whether speaking/reasoned?*
2. *Whether reportable?*

Yes/No
Yes/No