

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP- 30165 of 2019
Date of decision: 18.10.2019

Bharat Singh and others

.... Petitioners

versus

State of Haryana and others

.... Respondents

CORAM:HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Sandeep Thakan, Advocate
for the petitioner

HARSIMRAN SINGH SETHI, J. .

Learned counsel for the petitioners argues that petitioners are entitled for the pay scale of the post of which they have discharged duties, though on current duty charge, keeping in view the settled principle of law settled by this Court in CWP-3922 of 2011 titled as **Narender Pal Singh Arya and another vs. State of Haryana and others** and connected cases decided on 03.10.2016, which judgment has already been upheld by the Division Bench of this Court in LPA No.2460 of 2017 titled as **State of Haryana and others. Vs. Narender Pal Singh Arya and another** on 31.07.2018. Learned counsel for the petitioners states that the petitioners in the present writ petition are similarly situated as the petitioners in Narender Pal Singh's case (supra) and, therefore, it is incumbent upon the respondents to grant the benefit, as extended to the petitioners in Narender Pal Singh's case (supra) by this Court, without forcing them to approach this Court keeping in view the law settled by

the Division Bench of this Court in Satbir Singh vs. State of Haryana, 2002 (2) SCT, 354.

Counsel for the petitioners states that for the relief, which is being claimed by the petitioners in the present writ petition, the petitioners have served the respondents with legal notice dated 14.05.2019 (Annexure P/8), which is still pending consideration with the respondents and the petitioners will be satisfied, at this stage, in case a time bound direction is issued to the 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 petitioners, the respondents are directed to decide the legal notice dated 14.05.2019 (Annexure P/8) 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 petitioners are entitled for any monetary benefit, the same shall also be released to them within a period of next three months.

Present writ petition stands disposed of.

(HARSIMRAN SINGH SETHI)
JUDGE

18.10.2019

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