

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.31239 of 2019

DATE OF DECISION:30.10.2019

Richhpal Singh

... Petitioner

Versus

State of Haryana and others

... Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. J.S. Maanipur, Advocate
for the petitioner.

HARSIMRAN SINGH SETHI, J. (ORAL)

Learned counsel appearing on behalf of the petitioner argues that the pay of the petitioner was wrongly fixed while he was in service. The contention raised on behalf of the petitioner is that the petitioner was entitled for basic pay @ ₹1500/- in the pay scale of ₹1200-2040, after the pay scale was revised but the pay of the petitioner was wrongly fixed at ₹1470/- and the said incorrect fixation of the basic pay continued in the subsequent revision also. The prayer of the petitioner is for issuance of a direction to the respondents to correctly fix the basic pay of the petitioner.

The present writ petition has been filed in the year 2019 and the prayer of the petitioner is for refixing his pay which according to him was wrongly fixed on 01.04.1992. Nothing has been attached with the writ petition as to whether the petitioner ever

agitated the said claim in the year 1992 or at any subsequent point of

time, whenever his pay was revised. The only argument raised is that in the year 2017, the Principal of the College has recommended the correct fixation of his pay.

Learned counsel for the petitioner states that for the relief which has been claimed in the present writ petition, petitioner has served the respondents with a legal notice dated 19.07.2019 (Annexure P-5), 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 legal notice dated 19.07.2019 (Annexure P-5) 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 legal notice dated 19.07.2019 (Annexure P-5), the present writ petition is disposed of with a direction to the respondents to decide the legal notice dated 19.07.2019 (Annexure P-5) within a period of three months from the receipt of certified copy of this order.

In case, it is found that there is any merit in the claim of the petitioner as raised in the legal notice, it is made clear that the petitioner will not be entitled for the arrears till the date of filing of the legal notice.

October 30, 2019

jt

(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned: Yes / No

Whether reportable : Yes / No