

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

CWP-33006-2019

Date of decision: - 15.11.2019

Yogesh Kumar Sharma and others

....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)

Counsel for the petitioners argues that petitioners were seniors to respondent No.5 and he relies upon the seniority list dated 14.12.2009 (Annexure P-2) in this regard wherein the name of the petitioners are mentioned above Sh. S.K. Nagpal (respondent No.5).

Counsel for the petitioners further argues that at the time of retirement, respondent No.5 was getting the higher basic pay than all the petitioners though, he was junior to them in the cadre of Sub-Divisional Engineer and therefore, as the junior was getting higher pay than the seniors, the senior employees like the petitioners are entitled to step up of their salaries equivalent to that of respondent No.5. Counsel for the petitioners further argues that a direction be issued to the respondents to step up the pay of the petitioners in the cadre of Sub-Divisional Engineer

equivalent to that of respondent No.5 and grant the petitioners the consequential benefits.

Counsel for the petitioners further states that for the relief, which has been sought in the present writ petition, petitioners have served the respondents with a legal notice dated 16.07.2019 (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 16.07.2019 (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.

Present writ petition stands disposed of.

(HARSIMRAN SINGH SETHI)
JUDGE

November 15, 2019
naresh.k

Whether reasoned/speaking?	Yes
Whether reportable?	No