

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(115)

CWP No. 35290 of 2019

Date of Decision : 04.12.2019

Harbhajan Singh and others

....Petitioners

Versus

State of Punjab and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Amrik Singh, Advocate for the petitioners.

Harsimran Singh Sethi, J. (Oral)

In the present writ petition, the grievance being raised by the petitioners is that the petitioners are entitled for step up of their pay at par with their juniors belonging to reserved category, who were promoted in preference to the petitioners on the basis of reservation.

Learned counsel for the petitioners states that after the petitioners were promoted to the said promoted post in the year 2010, the petitioners became entitled for the benefit of step up of their pay equivalent to the pay, which was being drawn by the reserved candidates, who were junior to them in the feeder cadre as they became senior to them again in view of the law laid down in ***Ajit Singh Januja Vs. State of Punjab, 1996 (2) SCC 715***. Learned counsel for the petitioners relies upon the instructions which were issued by the respondents on 14.03.2017.

Learned counsel for the petitioners further states that for the relief which has been claimed in the present writ petition, the petitioners have served the respondents with a legal notice dated 24.04.2019 (Annexure P-11) and the petitioners will be satisfied, at this stage, in case a time bound direction is issued to the respondents to decide the legal notice dated 24.04.2019 (Annexure P-11) by passing an appropriate speaking order.

Without commenting upon the merits of the case or about the entitlement of the petitioners for the relief which has been claimed by them in the legal notice dated 24.04.2019 (Annexure P-11), the present writ petition is disposed of with a direction to the respondents to decide the legal notice dated 24.04.2019 (Annexure P-11) within a period of three months from the receipt of certified copy of this order. In case, it is found that the petitioners are entitled for any monetary benefits after the decision of the legal notice, the same should also be paid to them within three months thereafter.

Writ petition stands disposed of accordingly.

December 04, 2019
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether reasoned/speaking? *Yes*
Whether reportable? *No*