

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

**CWP No.35805 of 2019 (O&M)
Date of decision : December 10, 2019**

Kailash Chand Yadav

..... Petitioner

Versus

State of Haryana and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Sunil Kumar Bhardwaj, Advocate for the petitioner.

HARSIMRAN SINGH SETHI J. (ORAL)

Learned counsel for the petitioner argues that vide order dated 18.09.2019 (Annexure P-6), the pay of the petitioner has been refixed and the petitioner has been granted the grade pay of ₹1800/- instead of ₹1650/- which has been extended to the petitioner prior to the refixation but in compliance of the said order, no benefit has been extended to the petitioner as arrears, though, more than two months have been elapsed since the passing of the order in favour of the petitioner.

Learned counsel for the petitioner states that the petitioner has served upon the respondents a legal notice dated 19.08.2019 (Annexure P-3), which is prior to the date when the benefit of refixation of the salary was extended to the petitioner on 18.09.2019 but in reply to the legal notice which is dated 05.11.2019 (Annexure P-4), the respondents have stated that the grant of the benefit is under process.

The prayer of the petitioner is for directing respondent No.3 to pass an appropriate order on the legal notice dated 19.08.2019 (Annexure P-3), keeping in view the order which the respondents have passed on

18.09.2019 for granting the benefit of arrears in pursuance to the refixation in a time bound manner.

Without going into the merits of the case and the claim which is being made by the petitioner, respondent No.3 is directed to pass an appropriate order, keeping in view the orders dated 18.09.2019 (Annexure P-6) by which the pay of the petitioner has been refixed in respect as to whether the petitioner is entitled for any monetary benefits as arrears or not, within a period of three months of the receipt of the certified copy of this order.

(HARSIMRAN SINGH SETHI)
JUDGE

December 10, 2019

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Whether speaking / reasoned

Yes

Whether Reportable:

No