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

CWP No. 10051 of 2020
Date of Decision: 07.10.2020

Maya Ram

.....Petitioner

Vs.

State of Haryana and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr. Sukhdeep Singh, Advocate, for
Mr. Parminder Singh, Advocate,
for the petitioner.

Mr. R.K.S. Brar, Addl. A.G., Haryana.

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AMOL RATTAN SINGH, J. (ORAL)

All cases listed today have been taken up for hearing by way of video conferencing because of the situation existing due to the COVID-19 pandemic.

By this petition, the petitioner seeks issuance of a writ in the nature of *'certiorari',* quashing the order dated 01.01.2019 (copy Annexure P-4) whereby, overlooking the order dated 27.04.2018 (Annexure P-2) [whereby Grade Pay of Rs. 5,400/- was granted on the basis of Government notification dated 06.01.2020, (Annexure P-1)], has wrongly been withdrawn (as alleged), without assigning any reason.

Notice of motion having been issued on the last date of hearing, today, learned State counsel submits that as a matter of fact the petition can be disposed of with a direction to the respondents to take a decision on the representation made by the petitioner within a specific period.

That being so, without making any comment on the actual merits of the case, this petition is disposed of with a direction to the competent

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authority amongst the respondents to take a decision on the representation by passing a speaking order within a period of 03 months from the date of receipt of a certified copy of this order.

If a completely detailed speaking order has already been passed by the competent authority, then only a short order would now need to be passed, annexing therewith the detailed order already passed (if any).

If the benefits claimed by the petitioner, or any of such benefits, are found due to him, they would be released within a period of two months thereafter.

It is to be observed that though the petitioner is also seeking quashing of an order dated 01.01.2019, the said order being one amending his pay scale, learned State counsel submits that if it is found to be unsustainable, it can be reviewed by the competent authority.

It is further made clear that if the petitioners' claim is found to be due, naturally interest shall be paid to him, either at the rate provided in any statute, or in the absence of any such statutory rate provided, then @ 6% per annum, running from the date that it was due till the date of payment thereof.

October 07, 2020 **(AMOL RATTAN SINGH)**
nitin **JUDGE**

Whether speaking/reasoned Yes
Whether Reportable No.

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