

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

**CWP No.23981 of 2014 (O&M)
Date of Decision:11.02.2020**

Dr. Birendra Singh Kapoor

.....Petitioner

versus

Punjabi University Patiala and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present:- Mr. Aman Chaudhary, Advocate for the petitioner.

Mr. Ajaivir Singh, Advocate for respondents No.1 and 2.

Mr. TPS Chawla, DAG, Punjab.

Mr. S.K. Sharma, Advocate for respondent No.4.

TEJINDER SINGH DHINDSA J.(Oral)

Pleadings on record would indicate that the petitioner had earlier filed CWP No.6802 of 2000 seeking the setting aside of orders dated 02.07.1999, 02.09.1999 and 24.03.2000 vide which his claim for grant of five advance increments in the revised pay-scale had been declined.

The writ petition was disposed of on 07.10.2013 in the following terms:-

“Therefore without expressing any opinion on the merits of the case, the petition is disposed of by setting aside the impugned orders Annexures P-9, P-10 and P-13 inasmuch as they are non-speaking and do not contain any reasoning to decline the prayer of the petitioner. The respondents will be at liberty to decide the case of the petitioner afresh by assigning reasons in the order to be passed. The needful be done expeditiously, preferable within a period of six months from the date of receipt of a copy of this order. In case the petitioner is held entitled to the benefits

claimed by him, the same shall be released to him within a period of six weeks from the date of passing of the fresh order.”

In purported compliance of the directions issued by the Writ Court an order dated 19.05.2014 (Annexure P-17) has been passed rejected the claim of the petitioner yet again.

Instant writ petition is directed against the order dated 19.05.2014 at Annexure P-17.

During the course of hearing Mr. Ajaivir Singh, learned counsel representing the respondent Punjabi University, Patiala, would fairly concede that even though the impugned order is captioned as a speaking order yet there are no reasons furnished in such order on the basis of which the claim of the petitioner to grant him five advance increments in the revised scale has been denied.

A fair stand has been taken on behalf of the University that an order afresh would be passed by assigning cogent and detailed reasoning.

In view of the above and without opining on the merits of the claim, the order dated 19.05.2014 (Annexure P-17) is set aside.

Directions are issued to respondent No.1 to consider the claim of the petitioner afresh and to pass a speaking order within a period of three months from the date of receipt of the certified copy of this order.

Opportunity of personal hearing to the petitioner be afforded prior to passing of the order afresh.

Disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

February 11, 2020
shweta

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No