

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-19523-2020

Date of decision: 17.11.2020

Naresh Kumar and another

.....Petitioners.

vs.

State of Punjab and others

.....Respondents.

CORAM: - HON'BLE MR. JUSTICE SANJAY KUMAR

Present: - Mr. Rakesh Sobti, Advocate, for the petitioners.

Mr. Navdeep Chhabra, Deputy Advocate General, Punjab.

.....

Sanjay Kumar, J. (ORAL)

The petitioners are retired employees of the Water Resources Department (hitherto, part of the Department of Irrigation) of the State of Punjab. They seek release of their arrears of salary consequent upon their promotion as Sub Division Officers pursuant to the common judgment dated 03.07.2014 passed by this Court in CWP-15731-1991, titled '*Kulbir Bhushan Goel and others vs. State of Punjab and others*', and CWP-18332-2009, titled '*Sat Bhushan Garg and another vs. State of Punjab and others*'. They got issued legal notice dated 09.07.2020 in this regard to the respondent authorities but complain of inaction thereon.

Perusal of the Office Order dated 28.11.2019 reflects that notional promotion was given to the petitioners along with others w.e.f. 17.07.1996 and the Chief Engineer (Canals), Water Resources Department (Head Office), Punjab, stated that grant of arrears was still under consideration and that action would be taken upon receipt of a decision in that regard from the Government.

As the authorities themselves kept open the entitlement of the petitioners and others to seek arrears of salary and it appears that no decision has been taken on the issue till date, no cause is made out to entertain this writ petition for adjudication on merits at this stage. It is for the authorities to take a call on the issue in the first instance and take appropriate action thereon.

The writ petition is accordingly disposed of directing the authorities concerned to consider the petitioners' legal notice dated 09.07.2020 and take necessary appropriate action on the strength of the decision taken. This entire exercise shall be completed expeditiously and in any event, not later than two months from the date of receipt of a copy of this order.

No order as to costs.

(SANJAY KUMAR)
JUDGE

17.11.2020

preeti

whether speaking/non speaking

yes

whether reportable/non reportable

no