

CWP-1708-2021

Date of decision : January 25, 2021

RAMESHWAR DASS

.....Petitioner

Versus

STATE OF HARYANA AND OTHERS

....Respondents

CORAM:- HON'BLE MRS. JUSTICE LISA GILL

Present: Mr. Ramandeep Singh, Advocate for the petitioner.

Mr. Ashish Yadav, Addl. AG, Haryana.

LISA GILL, J.

This matter is being taken up for hearing through video conferencing due to outbreak of the pandemic, COVID-19.

Petitioner is aggrieved of action of the respondent – authorities in not granting pay scale of the post of Sub Divisional Clerk, to which he was promoted vide order dated 19.01.2017 (Annexure P2). Learned counsel for the petitioner submits that though clause 2 of the said order specifying that promotion had been granted in the petitioner's own pay scale and that pay scale of Sub Divisional Clerk would be granted only after five years of service as Clerk, is not justified, however, petitioner has now completed five years also on the post of Clerk in 2019 as he was appointed as Clerk on 29.08.2014. Still pay scale of the post of Sub Divisional Clerk is not being released to the petitioner despite representation dated 19.10.2020 (Annexure P3) as well as legal notice dated 09.11.2020 (Annexure P4) being served upon the respondents.

At this stage, learned counsel for the petitioner restricts the prayer for a direction that representation dated 19.10.2020 (Annexure P3) as well as legal notice dated 09.11.2020 (Annexure P4), be decided in a time bound manner.

Notice of motion.

Mr. Ashish Yadav, Addl. AG, Haryana accepts notice on behalf of respondent - State. He does not raise any objection to the limited prayer addressed.

Keeping in view the facts and circumstances of this case, but without any expression of opinion on the merits of the matter, this petition is disposed of with a direction to the competent authority to decide representation dated 19.10.2020 (Annexure P3) as well as legal notice dated 09.11.2020 (Annexure P4) by passing a speaking order within two months from receipt of certified copy of this order.

Petition is disposed of accordingly.

January 25, 2021
Rts

(Lisa Gill)
Judge

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