

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CWP-3716-2021

Date of decision : February 17, 2021

DALBIR SINGH

.....Petitioner

Versus

STATE OF PUNJAB AND ORS

....Respondents

CORAM:- HON'BLE MRS. JUSTICE LISA GILL

Present: Mr. C.L. Sharma, Advocate for the petitioner.

Ms. Akshita Chauhan, AAG, Punjab.

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LISA GILL, J.

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

Learned counsel for the petitioner submits that benefit of higher pay scale on completion of 4, 9 and 14 years of service from the due date has not been afforded to the petitioner. Petitioner was appointed on the post of Agricultural Development Officer, Department of Animal Husbandry on 17.05.1985 and he retired on 31.03.2012. Petitioner was afforded the benefit of higher scale on completion of 4 years and 9 years and that too from an incorrect date. He is claimed to be entitled to higher pay scale on completion of 4, 9 and 14 years of service at par with Veterinary officer. Petitioner, it is submitted, sought information under RTI Act and it came to light that petitioner has been denied the benefit only on the ground of seven 'No Report' of ACRs. Learned counsel relies upon decision dated 28.11.2015 (Annexure P8) to submit that denial of benefit to him on this basis is unjustified. It is submitted that legal notice dated 19.08.2019 (Annexure P11) was served upon the respondents but to no avail.

At this stage, learned counsel for the petitioner restricts the prayer for a direction that legal notice dated 19.08.2019 (Annexure P11), be decided by the authorities in a time bound manner.

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 legal notice dated 19.08.2019 (Annexure P11), within a period of two months from receipt of certified copy of this order. In case, petitioner is found entitled to any benefit, the same be released within four weeks thereafter. Needless to say in case of an order adverse to the petitioner, same be by way of a speaking order.

Petition is disposed of accordingly.

February 17, 2021  
rts

(Lisa Gill)  
Judge

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