

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

119

**CWP No. 7311 of 2021
Decided on :01.09.2021**

Suveg Singh

... Petitioners

Versus

State of Haryana and others

... Respondents

CORAM : HON'BLE MR. JUSTICE G.S. SANDHAWALIA

Present : Mr. Kuldeep Sheoran, Advocate,
for the petitioner.

Ms. Swati Batra, Advocate,
for respondents no. 3 and 4.

(The proceedings are being conducted through
video conferencing as per instructions.)

G.S. Sandhawalia, J. (Oral)

The petitioner is aggrieved against the impugned orders dated 11.03.2019 and 04.09.2020 (Annexures P-8 and P-10) whereby, the case of stepping up of the pay of the petitioner has been declined. The claim of the petitioner is that he is senior to respondent no. 5 (the perma respondent) keeping in view the fact that his seniority is at Sr. No. 147 and she is at Sr. No. 160 since the petitioner was promoted to the post of clerk on 10.01.2011 whereas, she has joined as direct recruit on the same day. Vide the impugned orders, he has not been held entitled for stepping up as per Rules 57 and 58 of the Haryana Civil Services (Pay) Rules, 2016.

Notice of motion.

Ms. Kirti Singh, DAG, Haryana accepts notice on behalf of respondents no. 1 and 2 and Ms. Swati Batra, Advocate accepts notice on behalf of respondents no. 3 and 4.

In the considered opinion of this Court, there is an alternative and efficacious remedy available to file an appeal against the orders passed

pertaining to a permanent and pensionable post under Rule 14(B)(ii) of the Haryana Subordinate Courts Establishment (Recruitment and General Conditions of Service) Rules, 1997.

Faced with this situation, counsel submits that he may be given liberty to file an appeal.

Accordingly, the present writ petition is disposed of with the aforesaid liberty. Needless to say that since the petitioner has approached this Court, the application for condoning the delay in filing the appeal be considered favourably by the District & Sessions Judge while forwarding the same to the concerned authority.

01.09.2021
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(G.S. SANDHAWALIA)
JUDGE

Whether reasoned/speaking

Yes/No

Whether reportable

Yes/No