

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

270

**CWP-3008-2021
Date of decision : 11.07.2022**

SURENDER KUMAR GULIA AND ANOTHER

..... Petitioners

VERSUS

HARYANA SHEHARI VIKAS PRADHIKARAN AND OTHERS

..... Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present :- Mr. Jagdeep Singh Rana, Advocate
for the petitioners.

Mr. Jagbir Malik, Additional AG, Haryana.

Mr. Priyavrat Parashar, Advocate
for respondents No.1 to 5.

HARSIMRAN SINGH SETHI, J. (Oral)

Learned counsel for the petitioners submits that the granting of benefit of step up was extended to the petitioners vide order dated 10.05.2019 (Annexure P-1 & P-2), which order was not being implemented by the respondents and that too, without any jurisdiction. Learned counsel further submits that more than three years have passed till the passing of the said order, but actual benefits have not been released despite the fact that in the present petition also, notice of motion was issued on 10.02.2021.

Learned counsel for the respondents submits that though the order in favour of the petitioners was passed granting them the benefit of step up but, subsequently a complaint was received due to which, the benefit has not been extended and the matter is still under consideration. Learned

counsel for the respondents further submits that appropriate order on the said consideration will be passed shortly.

Learned counsel for the petitioners submits that no show cause notice has been ever served to the petitioners for the withdrawal of the order Annexures P-1 & P-2 so far and therefore, the averment that the claim of the petitioner is under reconsideration, is incorrect.

Faced with this situation, learned counsel for the respondents submits that in case, the order Annexures P-1 & P-2 are not to be implemented, and there exists a valid reason, the petitioners will be given show cause notice within a period of one month from today failing which, the order Annexures P-1 & P-2 will be implemented by the respondents.

Learned State counsel submits that even if a show cause notice issued to the petitioners and the petitioners are able to justify their cause, and the order Annexures P-1 and P-2 are maintained, the same will be implemented immediately after the decision of the show cause notice, which decision will be taken expeditiously within a period of one month of the filing of the reply, if any, by the petitioner.

Keeping in view that above, learned counsel for the petitioners submits that the present petition may kindly be disposed of having been not pressed any further.

Ordered accordingly.

(HARSIMRAN SINGH SETHI)
JUDGE

11.07.2022
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Whether speaking/reasoned	Yes
Whether Reportable :	No