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

CWP-7826-2022

Date of Decision: 19.04.2022

Maman Chand

..... Petitioner

Versus

Uttar Haryana Bijli Vitran Nigam and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Vikas Chatrath, Advocate,
for the petitioner.

HARSIMRAN SINGH SETHI J. (ORAL)

In the present petition, prayer of the petitioner is for directing the respondent-authorities to step-up his pay at par with his junior along with the arrears and all the consequential benefits.

Learned counsel for the petitioner argues that the petitioner was getting lesser salary than his junior, namely Suresh Kumar, who was not only appointed after the petitioner in the cadre of Shift Attendant, but even further promotions to the higher ranks were given to the said Suresh Kumar after the petitioner.

Learned counsel for the petitioner submits that a chart has been given in paragraph No.3 of the present petition to show that the petitioner remained senior to the said Suresh Kumar throughout his career, whereas

Suresh Kumar was getting a higher pay than the petitioner, which is not permissible under law, keeping in view the instructions dated 21.11.2017, issued by the Government of Haryana, an employee is entitled for step-up in his/her pay, equivalent to the junior, which benefit is not being extended to the petitioner by the respondents and that too without any valid justification.

Learned counsel for the petitioner further submits that the petitioner has also raised the same grievance before the respondents by serving legal notice dated 24.03.2021 (Annexure P-11), which is still pending consideration with the authorities concerned and the petitioner will be satisfied at this stage, in case a time bound direction is given to respondent No.1 to decide the said legal notice dated 24.03.2021, by passing an appropriate speaking order.

Notice of motion.

Mr. Raman Kumar Sharma, Additional A.G., Haryana, keeping in view the advance service of the copy of petition, accepts notice on behalf of the State and raises no objection, in case prayer made hereinbefore on behalf of the petitioner for deciding the legal notice dated 24.03.2021 (Annexure P-11) in a time bound manner is accepted.

Keeping in view the facts and circumstances of this case and without going into merits of the claim as raised by the petitioner in the present case as well as in the legal notice dated 24.03.2021, this petition is disposed of with a direction to the respondent No.1 to pass an appropriate speaking order on the legal notice dated 24.03.2021 (Annexure P-11), filed by the petitioner, within a period of eight weeks from the date of receipt of the copy of this order. In case, the petitioner is found entitled for any benefit, the same be also released in his favour within a period of four

weeks thereafter.

19.04.2022
Apurva

(HARSIMRAN SINGH SETHI)
JUDGE

- 1. Whether speaking/reasoned : Yes
- 2. Whether reportable : No