

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(109)

CWP No. 9394 of 2022

Date of Decision : 06.05.2022

Prem Chand and others

....Petitioners

Versus

State of Punjab and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Ankush Thakral, Advocate for the petitioners.

Harsimran Singh Sethi, J. (Oral)

Learned counsel for the petitioners argues that petitioners were promoted to the post of Clerk with the condition that they will have to pass a typing test before they are granted the benefit of increment whereas, respondents, due to the not qualifying of typing test, have even withheld the revised pay scale of the petitioners, which was beyond the jurisdiction of the respondents. Learned counsel for the petitioners further argues that in the year 2015, the petitioners even passed the typing test required but still, no benefit either of increment or revised pay scale has been extended to them and that too without any valid justification hence, respondents are liable to be directed to grant the petitioners the increment from the date the petitioners passed the typing test as well as the revised pay scale for which, they are entitled for.

Learned counsel for the petitioners submits that the petitioners

have already raised the said grievance in the legal notice dated 22.04.2019 (Annexure P-7), which is still pending consideration with the respondents and the petitioners will be satisfied, at this stage, in case a direction is issued to respondent No. 3 to decide the same by passing an appropriate speaking order in a time bound manner.

Notice of motion.

On the asking of the Court, Ms. Anju Sharma Kaushik, learned Deputy Advocate General, Punjab, who is present in Court, accepts notice on behalf of the respondents and raises no objection in deciding the legal notice dated 22.04.2019 (Annexure P-7) in a time bound manner by passing an appropriate speaking order.

In view of the pleadings in the present petition, without expressing any opinion on the merits of the case or the claim being made by the petitioners in the legal notice, respondent No. 3 is directed to decide the legal notice dated 22.04.2019 (Annexure P-7), by passing a speaking order within a period of eight weeks from the receipt of copy of this order. In case, after the decision of the claim of the petitioners, it is found that the petitioners are entitled for the monetary benefits, the same should also be paid to the petitioners within a period of four weeks thereafter.

Present writ petition stands disposed of.

May 06, 2022
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(HARSIMRAN SINGH SETHI)
JUDGE

<i>Whether reasoned/speaking?</i>	√ <i>Yes/No</i>
<i>Whether reportable?</i>	√ <i>Yes/No</i>