

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

CWP-8317-2022

Date of decision: March 25, 2022

Rajesh Kumar

.....Petitioner

versus

State of Haryana and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present:- Mr. Raj Kapoor Malik, Advocate for the petitioner.

Mr. Sharan Sethi, Addl. AG Haryana.

ARUN MONGA, J (ORAL)

Petitioner herein, *inter alia*, seeks issuance of a writ in the nature of Mandamus directing the respondents to grant him pay scale of Rs.5200-20200 +2400 Grade Pay, instead of pay scale Rs.5200-20200+1900 Grade Pay, with effect from 24.11.2013 i.e. the date of joining of his service on the post of Patwari.

2. Alleged non-compliance of appointment letter Annexure P-3, vide which Petitioner was appointed as Patwari, is pleaded herein.

3. Learned counsel argues that there was a pay anomaly in the pay scale for the post of Patwaris placed in the different departments in the State of Haryana. Revenue department took up the matter for amendment in the Haryana Patwari Rules in other departments to bring it at par with Revenue Patwari (Group-C) Service Rules-2011. After approval from Hon'ble the then Chief Minister, Haryana, matter was placed before the Council of Ministers and they approved the proposal and administrative department was directed to implement the decision of the Council of Ministers at the earliest vide Annexure P-3. He submits that thereafter similarly situated employees were granted pay scale of Rs.5200-20200 +2400 Grade pay as initial pay scale with effect from their appointment.

3. Learned counsel for the petitioner further submits that for redressal of his aforesaid grievance, petitioner caused issuance of a demand

notice dated 02.03.2022 (Annexure P-6) but the same has not been adverted by the respondents till date. Hence, the instant petition.

4. On advance service, learned State counsel appears and submits that competent authority shall take decision either way, on the pending demand notice dated 02.03.2022 (Annexure P-6), in due course.

5. At this stage, learned counsel for the petitioner also agrees that let a final decision be taken, by the competent authority on the pending demand notice dated 02.03.2022 (Annexure P-6).

6. Given the nature of order being passed, there is no necessity to seek return by any of the respondents as no further proceedings and/or pleadings are required.

7. Without commenting on the merits of the case, the writ petition is disposed of with a direction to the competent authority to look into the grievance of the petitioner as per demand notice dated 02.03.2022 (Annexure P-6) and also by keeping in view the contentions raised in the present petition by treating the same as supplementary representation and take a decision, in accordance with law, as expeditiously as possible but not later than 3 months from today.

8. Disposed of accordingly.

(ARUN MONGA)
JUDGE

March 25, 2022
Vandana

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