

In the High Court of Punjab and Haryana at Chandigarh

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CWP-10283-2022 (O & M)

Date of Decision: May 13, 2022

SANJAY BHATNAGAR AND OTHERS

.....PETITIONERS

VERSUS

**MAHARAJA RANJIT SINGH PUNJAB
TECHNICAL UNIVERSITY BATHINDA
AND OTHER**

....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. R.K.Malik, Senior Advocate with
Mr. D.S. Mann, Advocate for the petitioners.

ANUPINDER SINGH GREWAL, J (ORAL)

The petitioner has challenged the order dated 24.03.2022 whereby the pay scale of the Associate Professors, which the petitioners have been drawing for over 10 years, has been withdrawn.

Learned Senior counsel for the petitioners inter alia submits that the impugned orders were passed whereby the pay scales of the petitioners had been reduced without any opportunity of hearing although in the impugned order itself it is mentioned that the petitioners can submit any comment within 02 days. He, therefore, submits that as the respondents had already made up their mind and passed the orders taking a decision to reduce their pay scale, the comments were of no consequence especially when only a period of 02 days have been granted for offering the comments.

Issue notice to the respondents.

Mr. Puneet Sharma, Advocate has put in appearance on behalf respondent No.1.

At the asking of the Court, Mr. T.P.S. Chawla, DAG, Punjab accepts notice on behalf of the respondents No.2 and 3.

A perusal of the impugned order shows that the decision had already been taken to refix and reduce the pay of the petitioners. Prior to the passing of this order, an adequate opportunity should have been afforded to the petitioners to present their case. Merely giving two days time to offer the comments to the petitioners after having taken decision to refix their pay would not suffice. Therefore, I am of the considered view that the impugned order is without opportunity of hearing to the petitioners and is in violation of the principles of natural justice.

Consequently, the impugned orders are set aside.

However, respondents shall be at liberty to pass a fresh orders after issuing a notice to the petitioners. The petitioners would be at liberty to file a detailed representation within 15 days. The representation would be considered and a speaking order would be passed within a period of 15 days thereafter. The petitioner shall also be afforded opportunity of hearing before passing the order.

The petition stands disposed.

(ANUPINDER SINGH GREWAL)
JUDGE

May 13, 2022
A.Kaundal

Whether speaking/ reasoned	:	Yes/No
Whether Reportable	:	Yes/No