

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-16134-2022 (O&M)
Date of Decision: 27.07.2022

DEV SINGH

..... Petitioner(s)

Versus

STATE OF PUNJAB AND OTHERS

..... Respondent(s)

CORAM:- HON'BLE MRS. JUSTICE LISA GILL

Present: Mr. Sunny Singla, Advocate
for the petitioner.

Mr. Navdeep Chhabra, DAG, Punjab.

LISA GILL, J.

Learned counsel for the petitioner submits that petitioner, who retired as S.S. Master on 31.10.2008, is entitled for proficiency step-up by counting of his service rendered prior to 01.01.1986 and for re-fixation of his pay and pension in view of the judgment dated 16.05.2016 (Annexure P-4) in *CWP-16095 of 2012, titled 'Baldev Singh and others Vs. State of Punjab and others'*.

It is submitted that petitioner was granted C&V pay scale and three advance increments as he had secured higher qualification of Prabhakar. Reference is made to circular dated 01.12.1988 (Annexure P-2), wherein it was directed that subject to suitability, besides regular annual increment, the employee shall also be entitled for grant of one additional increment in the form of proficiency step-up on each occasion of completion of 8 years and 18 years of service on or after “the appointed day” i.e.

01.01.1986. Increments for the C&V scale were withdrawn vide memo dated 21.04.2009 (Annexure P-3). However, matter was finally decided on 16.05.2016 on the basis of affidavit dated 23.09.2015, filed on behalf of the Department of Finance. Learned counsel further submits that the benefit was afforded only to those employees who approached the High Court but not to other employees like the petitioner. In this respect, legal notice dated 24.07.2020 (Annexure P-6), it is stated has been issued but to no avail.

At this stage, learned counsel for the petitioner restricts his prayer for a decision on the legal notice dated 24.07.2020 (Annexure P-6), in a time bound manner.

Notice of motion.

Mr. Navdeep Chhabra, DAG, Punjab, accepts notice on behalf of the respondents. Advance copy of the writ petition stands served. Learned counsel for the State does not raise any serious objection to the limited prayer addressed.

Keeping in view the facts and circumstances of this case, but without any expression of opinion on the merits of the matter, this petition is disposed of with a direction to the competent authority to consider and decide legal notice dated 24.07.2020 (Annexure P-6) by passing a speaking order, within a period of three months from receipt of certified copy of this order. In case, petitioner is found entitled to any monetary benefit, it be released within the next two months thereafter.

Writ petition is disposed of accordingly.

27.07.2022

Sunil

(LISA GILL)
JUDGE

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