

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

214

CWP-18737-2021

Date of Decision :29.07.2022

Indu Bala

...Petitioner

Versus

State of Haryana and another

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Parveen Kaushik, Advocate for the petitioner.

Mr. Sandeep Singh Mann, Addl. A.G. Haryana.

Harsimran Singh Sethi, J. (Oral)

In the present writ petition, the grievance of the petitioner is that the petitioner is being paid less salary than her junior and claims that her pay should be stepped up equivalent to one Dharambir Singh, who was appointed as Clerk after the petitioner and was promoted as Assistant much after the date, when the petitioner was promoted to the said post.

Learned counsel for the petitioner submits that as per the settled principle of law, a junior employee in the same cadre cannot be paid higher salary than his/her senior and, therefore, the respondents are under an obligation to grant the petitioner benefit of step up of her salary equivalent to that of said Dharambir Singh.

Learned counsel for the petitioner submits that the petitioner has already raised the said grievance before the respondents by way of submitting a representation dated 07.07.2021 (Annexure P/7), which is still

pending consideration with the respondents and the petitioner will be satisfied in case a time bound direction is issued to the respondent No.2 to decide the said representation.

Notice of motion.

Mr. Sandeep Singh Mann, Addl. A.G, Haryana, who is present in the Court, accepts notice on behalf of respondent-State and raises no objection in deciding the representation dated 07.07.2021 (Annexure P/7) in a time bound manner by passing an appropriate speaking order.

In view of the request made, without expressing any opinion on the merits of the case or the claim being made by the petitioner in her representation, respondent No.2 is directed to decide the representation dated 07.07.2021 (Annexure P/7) by passing a speaking order within a period of eight weeks from the date of receipt of copy of this order. In case after the decision, it is found that the petitioner is entitled for any relief, the same will be extended to her within a period of next four weeks.

Present writ petition stands disposed of.

July 29, 2022

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(HARSIMRAN SINGH SETHI)

JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No