

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

(213)

CWP-23851-2017

Date of Decision : November 09, 2022

Shahabuddin and others

.. Petitioners

Versus

State of Haryana and others

.. Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Sandeep Verma, Advocate, for the petitioners.

Mr. Rajesh Gaur, Additional Advocate General, Haryana.

Mr. Akash Yadav, Advocate, for respondents No. 4, 6 and 7.

HARSIMRAN SINGH SETHI J. (ORAL)

In the present petition, the grievance of the petitioners is that they are entitled for step up of their pay equivalent to their junior and they will be satisfied at this stage, if the legal notice which has been served by the petitioners upon the respondents dated 20.08.2017, a copy of which has been appended with this petition as Annexure P-17 is decided in a time bound manner so as to grant the petitioners the benefit of step up of pay equivalent to that of their junior working in the same Department.

A short reply has been filed by respondents No. 1 to 3 wherein, the respondents have mentioned following in paragraph 3:-

“3. That no instructions/rules are applicable automatically to the employees of Mewat Development Board until and unless the same are adopted or followed by the Board by passing specific order/resolution. However, it is admitted fact that the answering respondent/Department has given the benefit of step up at par with junior employees in compliance of Neelam Rani's case and other judgment passed by this Hon'ble Court in view of Neelam Rani's case which has been generalized by the Finance Department vide its letter dated 21.11.2017. It is also submitted that the above said matter is also connected with CWP No.25023 of 2016 titled as Sunil Dutt and others vs. State of Haryana and others and it stands disposed of, in view of the detail judgment, of even date, passed in CWP No.14830 of 2017 titled as Ram Parshad and others vs. State of Haryana and others on dated 20.12.2017 and both these matters are being same and thus may be disposed of.”

Keeping in view the above, as respondents themselves have mentioned that the benefit of step up of pay has already been given to the similarly situated employees and direction in Neelam Rani's case has already been generalized by the respondent-Department as far as back on 21.11.2017, the respondents are directed to decide the claim of the petitioners as raised vide legal notice dated 20.08.2017 (Annexure P-17) by passing an appropriate speaking order within a period of eight weeks from the receipt of copy of this order and in case, the petitioners are found entitled for the benefit, the same be extended to them within a period of further four weeks.

Learned counsel for the petitioners submits that keeping in view the above, the present petition may kindly be disposed of having been not pressed any further.

Ordered accordingly.

November 09, 2022

harsha

(HARSIMRAN SINGH SETHI)

JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No