

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

(118)

CWP No. 19267 of 2022

Date of Decision : 27.09.2022

Faqir Chand

....Petitioner

Versus

State of Haryana and others

.....Respondents

***CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI***

Present:- Mr. Jitender S. Chahal, Advocate for the petitioner.

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**Harsimran Singh Sethi, J. (Oral)**

Learned counsel for the petitioner argues that the petitioner is claiming the benefit of step up of his pay equivalent to his junior Hari Singh, who was promoted to the post of Head Master in preference to the petitioner on the basis of reservation. Learned counsel for the petitioner submits that the petitioner regained his seniority over said Hari Singh in the cadre of Head Master when he was promoted on 19.08.2002 hence, keeping in view the judgment of Hon'ble Supreme Court of India in ***Ajit Singh Januja and others Vs. State of Punjab and others, 1996(2) SCC 715***, petitioner is entitled for the step up of his pay as he became senior to him.

Learned counsel for the petitioner submits that petitioner has already raised the said grievance in the representation dated 16.08.2021 (Annexure P-14), which is still pending consideration with the respondents

and petitioner will be satisfied, at this stage, in case a direction is issued to

respondent No. 2 to decide the same by passing an appropriate speaking order in a time bound manner.

Notice of motion.

On the asking of the Court, Mr. Harish Nain, learned Assistant Advocate General, Haryana, who is present in Court, accepts notice on behalf of the respondent-State and raises no objection in deciding the representation dated 16.08.2021 (Annexure P-14) in a time bound manner by passing an appropriate speaking order.

In view of the pleadings in the present petition, without expressing any opinion on the merits of the case or the claim being made by the petitioner in the representation, respondent No. 2 is directed to decide the representation dated 16.08.2021 (Annexure P-14), by passing a speaking order within a period of eight weeks from the receipt of copy of this order.

Present writ petition stands disposed of.

September 27, 2022  
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( HARSIMRAN SINGH SETHI )  
JUDGE

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|----------------------------|--------|
| Whether reasoned/speaking? | Yes/No |
| Whether reportable?        | Yes/No |