

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

(207)

CWP-9478-2016

Date of Decision : November 10, 2022

Rajesh Kumar

.. Petitioner

Versus

State of Haryana and others

.. Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Padamkant Dwivedi, Advocate, for the petitioner.

Mr. Rajesh Gaur, Additional Advocate General, Haryana.

Mr. Rishav Sharma, Advocate, for
Mr. D.R. Sharma, Advocate, for respondent No.6.

HARSIMRAN SINGH SETHI J. (ORAL)

In the present petition, the grievance of the petitioner is that the petitioner be granted the benefit of pay protection in respect of the service which the petitioner had rendered with the Navodaya Vidyalaya, prior to the joining of the service of the respondent-State of Haryana.

On being asked, as to on what ground or under which rule governing the service, the said benefit is being sought, learned counsel for the petitioner has not been able to show any rule to support the said prayer.

Learned counsel for the petitioner submits that as per the notification dated 22.08.1988, the petitioner is entitled for the said benefit, which needs to be taken into consideration by the respondents and the

petitioner will be satisfied at this stage, in case, the respondents pass appropriate order on the claim of the petitioner by taking into consideration the said instructions.

Learned counsel for the respondents submits that appropriate order on the prayer of the petitioner for the grant of benefit of pay protection, will be passed and the instructions dated 22.08.1988 will be kept in mind while passing the said order.

At this stage, learned counsel for the petitioner submits that the said order be passed in a time bound manner so that the petitioner does not suffer any prejudice as the petitioner is litigating since last more than six years.

Learned counsel for the respondents submits that appropriate order will be passed after due consideration within a period of eight weeks of the receipt of copy of this order and in case, the petitioner is found entitled for any relief, the same will also be extended to the petitioner within a period of further four weeks.

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

Ordered accordingly.

November 10, 2022

harsha

(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : No