

In the High Court of Punjab and Haryana at Chandigarh

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CWP-24042-2022 (O & M)

Date of Decision: October 18, 2022

RAVINDER

.....PETITIONER

VERSUS

STATE OF HARYANA AND ANOTHER

....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Ms.Sangita Dhanda, Advocate for the petitioner.

ANUPINDER SINGH GREWAL, J (ORAL)

Learned counsel for the petitioner submits that the petitioner, who is working as a Foot Prosthetic Technician, has been placed in the pay scale of Rs.5200-20200 with a grade pay of Rs.1900/- while other Technicians holding similar qualifications have also been placed in the same pay scale but having the higher grade pay of Rs.2400/- or Rs.3600/-.The petitioner had sent a representation to the respondents but the same has been declined without assigning any reasons.

Issue notice to the respondents.

At the asking of the Court, Mr. Anant Kataria, DAG, Haryana accepts notice on behalf of respondent No.1.

Mr. Shivansh Malik, Advocate has put in appearance on behalf of respondent No.2 and states that the petitioner is claiming parity with the grade pay for other posts although the qualifications, which have been prescribed for those posts, are different.

Heard.

The petitioner is claiming higher grade pay. She has referred to the advertisement whereby the grade pay of other posts, is higher. The petitioner had sent a representation to the respondents, which ought to have been considered by them by passing a reasoned order. The representation has been declined by order dated 14.05.2020 which does not assign any reason whatsoever. The relevant extract of order dated 14.05.2020 is reproduced hereunder:-

“Kindly refer to this office letter No.ortho/20/90 dated 10.01.2020 on the above noted subject.

The matter has been considered by the authority. It is to inform you that your request regarding pay anomaly has been filed in accordance with Govt. Instructions issued vide No.6/83/2009-3PR(FD) dated 23.12.2013 with ordinance passed vide notification dated 10.12.2013.”

It was enjoined upon the respondent-University to have given a thoughtful consideration to the representation and decide the same by assigning reasons.

Consequently, the petition is partly allowed and the order dated 14.05.2020 is set aside. The petitioner shall be at liberty to file a fresh representation to the respondents and respondent No.2 is directed to consider the same in accordance with law by passing a speaking order within a period of three months of its receipt.

(ANUPINDER SINGH GREWAL)
JUDGE

October 18, 2022
A.Kaundal

Whether speaking/ reasoned	:	Yes/No
Whether Reportable	:	Yes/No