

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

**CWP No. 24425 of 2022
Date of decision: 21.10.2022**

Dr. Iqbal Singh Petitioner.

Versus

State of Punjab and others Respondents.

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present:- Dr. Dayal Partap Singh Randhawa, Advocate, for the petitioner.

Mr. Inderpreet Kang, AAG, Punjab, for the respondents.

ANUPINDER SINGH GREWAL, J. (ORAL)

Learned counsel for the petitioner submits that the petitioner had been appointed as Librarian in the year 1999 in pursuance to the advertisement (Annexure P2). He was promoted as Librarian (Senior Scale) in the year 2007. The respondents by the impugned order dated 08.03.2022 (Annexure P-8) have reduced the pay scale of the petitioner from Rs. 37,400-67,000 AGP 9,000 to Rs. 15,600-39,100 AGP 8,000 w.e.f. 05.02.2011 without issuance of any notice or opportunity of hearing to the petitioner.

Issue notice to the respondents.

At the asking of the Court, Mr. Inderpreet Kang, AAG, Punjab, accepts notice on behalf of the respondents.

Heard.

It is apparent that the impugned order dated 08.03.2022 (Annexure P8) has been passed without any notice or opportunity of hearing

to the petitioner. The pay scale has been substantially reduced and it is mentioned in the impugned order (Annexure P-8) that if any one has any objection, he may do so within three days. Learned counsel for the petitioner has submitted that the petitioner had sent objections, but no action has been taken thereon. The respondents could not have passed the impugned order (Annexure P-8) drastically reducing the pay scale of the petitioner without issuance of any notice or opportunity of hearing to the petitioner. There should have been adequate notice to the petitioner to afford him an opportunity to furnish his reply. The impugned order has been passed in violation of the principles of natural justice.

Consequently, the petition is allowed and the impugned order dated 08.03.2022 (Annexure P-8) is set aside. However, the respondents are at liberty to pass a fresh order after issuance of notice or affording an opportunity of hearing to the petitioner.

(ANUPINDER SINGH GREWAL)
JUDGE

21.10.2022
Ramesh

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No