

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

(108)

CWP No. 26110 of 2021

Date of Decision : 25.03.2022

Durai Swami

....Petitioner

Versus

The Haryana Shahri Vikas Pradhikaran and others

.....Respondents

(Through Video Conferencing)

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- None for the petitioner.

Harsimran Singh Sethi, J. (Oral)

In the present petition, the grievance which is being raised is that the petitioner was promoted to a Class-III post of Mason in July, 2000 and he kept on working as such till he attained the age of superannuation and retired on 29.02.2016, which fact is clear from the office order dated 25.02.2016 (Annexure P-1), wherein, the petitioner has been described as a Mason, who has been retired on attaining the age of superannuation. The grievance of the petitioner is that though he worked as a Mason for a period of 16 years but he was not paid the salary of the same but was only given the salary of a Mason Helper, which is arbitrary and illegal. The prayer of the petitioner is for issuance of a direction to the respondents to grant the salary of the post for which the petitioner had discharged duties starting

from the year 2000 till the date of his retirement.

As per the record of the petition, the said grievance has already been raised by the petitioner in his legal notice dated 24.07.2021 (Annexure P-3) and the interest of justice will be served in case, respondents are directed to decide the same by passing an appropriate speaking order in a time bound manner.

Notice of motion.

Mr. Raman Kumar Sharma, learned Addl. Advocate General, Haryana, who has joined the proceedings through video conference, accepts notice on behalf of the respondents and raises no objection in deciding the legal notice dated 24.07.2021 (Annexure P-3), 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 legal notice, respondents are directed to decide the legal notice dated 24.07.2021 (Annexure P-3), by passing a speaking order within a period of eight weeks from the receipt of copy of this order. In case, after the decision of the claim of the petitioner, it is found that the petitioner is entitled for the monetary benefits, the same should also be paid to the petitioner within four weeks thereafter.

Present writ petition stands disposed of.

March 25, 2022
kanchan

(HARSIMRAN SINGH SETHI)
JUDGE

Whether reasoned/speaking? Yes/No

Whether reportable? Yes/No