

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(114)

CWP No. 29495 of 2022

Date of Decision : 21.12.2022

Som Kumar

....Petitioner

Versus

State of Haryana and another

.....Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Ms. Alka Chatrath, Advocate for the petitioner.

Harsimran Singh Sethi, J. (Oral)

In the present petition, the grievance being raised by the petitioner is that he is entitled for the grant of revised pay scale of 9300-34800+4800 keeping in view the decision of this Court in CWP No. 1885 of 2011 titled as ***Mahinder Pal Singh and others Vs. State of Haryana and another***, decided on 11.05.2016 but the said benefit is not being extended to him on the ground that there is no order in favour of the petitioner by the competent Court of Law holding the petitioner entitled for the said benefit.

Learned counsel for the petitioner submits that keeping in view the judgment of Division Bench of this Court in CWP No. 4382 of 2002 titled as ***Satbir Singh Vs. State of Haryana***, decided on 21.03.2002, once a question of law has been settled, the same should be made applicable to all the similarly situated persons without forcing everyone to approach the Court of law time and again for the same relief hence, respondents are liable to be directed to extend the petitioner the benefit as extended by this Court

in ***Mahinder Pal Singh's case (supra)***.

Learned counsel for the petitioner submits that the petitioner has already raised the said grievance in the legal notice dated 20.08.2022 (Annexure P-11) but the same is still pending consideration with the respondents and the 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 respondents and raises no objection in deciding the legal notice dated 20.08.2022 (Annexure P-11) 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, respondent No. 2 is directed to decide the legal notice dated 20.08.2022 (Annexure P-11), by passing a speaking order within a period of eight weeks from the receipt of copy of this order and in case, petitioner is found entitled for any benefit after the said decision, the same will be extended to the petitioner within a further period of four weeks.

Present writ petition stands disposed of.

December 21, 2022
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether reasoned/speaking? Yes

Whether reportable? No