

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

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CWP-1244-2023 (O&M)

Date of Decision: 20.02.2023

LAKSHMI NARIAN

... Petitioner

Versus

STATE OF HARYANA AND OTHERS

... Respondents

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Atul Yadav, Advocate for the petitioner.

HARNARESH SINGH GILL, J.(Oral)

By way of the instant petition, the petitioner seeks issuance of a writ in the nature of Certiorari quashing the impugned order/letter dated 17.02.2022 (Annexure P-19) passed by respondent no.2, vide which the claim of the petitioner, was rejected.

Learned counsel for the petitioner submits that the petitioner was appointed as Type Writing Instructor on 28.11.1979 in the pay-scale of 250-400 (UGC) plus usual allowance; that vide appointment letter dated 22.07.1983, the petitioner was appointed as Officiating Type Writing Instructor in the pay-scale of 480-15-600-EB2-700-30-760 plus usual allowance; that though the petitioner moved a representation dated 20.01.2011 for revision of his pay, followed by certain other reminders, yet the same has not been decided by the authorities concerned, till date and that the petitioner retired from the service on 30.06.2016, after attaining the age of superannuation.

Learned counsel for the petitioner further submits that the petitioner issued a legal notice dated 22.06.2021 to the official

respondents, claiming his rights, but to no avail. He further submits that now vide letter dated 17.02.2022 (Annexure P-19), issued by Director Higher Education Haryana, the Principal, Government College, Jatauli Haily Mandi (Gurugram), has been directed to send para wise reply to the legal notice dated 22.06.2021. Still further, it is submitted that though, in said communication dated 17.02.2022, a specific noting has been made that 'the pay has already been fixed in the service book from time to time, which is in order and thus, the demand of the employee is not as per Rules', yet comments have been called from the concerned Department, which is merely an eye wash.

I have heard the learned counsel for the petitioner.

Vide order/letter impugned herein, the Director Higher Education, Haryana, has only called for the para wise reply of the legal notice dated 22.06.2021, at the earliest. The relevant extract would reads as under:-

'Thus, you are hereby directed to send the paras wise reply of the legal notice dated 22.06.2021 (Copy enclosed) to the concerned Advocate Sh. RS Yadav, accordingly and send a copy of the same to this office, at the earliest. Service book of the employee is returned herewith for your necessary action please'.

Since, no specific order has been passed by the concerned authorities, rejecting the claim of the petitioner, the present petition is hereby dismissed, being pre-mature.

20.02.2023

Aman Jain

(HARNARESH SINGH GILL)

JUDGE

Whether speaking/reasoned

: *Yes/No*

Whether reportable

: *Yes/No*