

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

225

CWP-11359-2018

Date of decision:06.02.2023

Desh Raj and another

... Petitioners

Vs.

State of Haryana and others

... Respondents

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present: Mr. Aman Nain, Advocate for
Mr. Ravinder Malik (Ravi), Advocate for the petitioners.

Mr. Saurabh Mohunta, DAG, Haryana.

SUVIR SEHGAL J. (ORAL)

Petitioners have approached this Court under Article 226/227 of Constitution of India for issuance of a writ in the nature of mandamus directing the respondents to grant them basic pay of Rs.40,800/- with effect from 02.02.2017 as has been granted to their junior alongwith all monetary benefits. Another prayer has been made for issuance of a writ in the nature of mandamus directing the respondents to decide the representation dated 23.01.2018.

Counsel for the petitioners submits that the petitioners were appointed as work charge Mali-cum-Chowkidars in the year 1986 and their services were regularized with effect from 01.04.1993 and they were promoted to the post of Water Pump Operator-II on 15.05.2015. He submits that private respondent No.5 was appointed as Pump Attendant

on 01.10.1990 on work charge basis and he was regularized on the post on 01.02.1996. It is his specific case that despite the fact that the private respondent is junior to the petitioner, but his pay is more. Counsel submits that the petitioners have submitted a representation dated 23.01.2018, Annexure P-4, which is pending.

Notice of motion was issued by this Court on 13.08.2018, but no response has been filed.

Given the nature of the order being passed, this Court does not intend to wait further for the response from the respondents.

Having considered the submissions made by counsel for the parties, but without looking into the claim raised by the petitioners, writ petition is disposed of with a direction to respondent No.3- Superintending Engineer, PWD, Public Health Engineering Department, Kaithal, to examine the representation, Annexure P-4, within a period of 04 months from the date of receipt of copy of this order. In case, it is found that the petitioners are not entitled to the claim, an order be passed assigning reasons for rejection.

06.02.2023
sheetal

(SUVIR SEHGAL)
JUDGE

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No