

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP- 17120-2023

Date of Decision:07.08.2023

Saroop Lal

... Petitioner

V/s.

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK MANCHANDA

Present : Mr. Vipin Mahajan, Advocate
for the petitioner.

DEEPAK MANCHANDA, J.(Oral)

Present writ petition has been filed under Article 226/227 of the Constitution of India by the petitioner seeking issuance of writ in the nature of mandamus or any other suitable Writ, Order or Direction for directing the respondent authorities to grant benefit of pay revision w.e.f. 01.01.2016 and for release of arrears of salary and other consequential revised retiral benefits after re-fixation of pay along with interest @ 9% per annum by taking final and the conscious decision on the legal notice dated 17.12.2022 (Annexure P-3) served by the petitioner for the release of

aforesaid benefits.

Learned counsel for the petitioner submits that the petitioner was appointed as Sweeper in Market Committee Dinanagar in 1983 and has retired on 31.07.2020. The pay scales were revised w.e.f. 01.01.2016 and the recommendation of the pay commission were accepted by the Department in July, 2021 but the petitioner has not been released revised pay scale till date though other similarly situated employees of the Market Committee have been released the arrears of pay revision. Learned counsel for the petitioner further submits that the petitioner has already raised the said grievance in the legal notice dated 17.12.2022 (Annexure P-3), which is still pending consideration with respondents and the petitioner will be satisfied at this stage, in case a direction is issued to the respondents to decide the same by passing an appropriate speaking order in a time bound manner.

Notice of motion.

At this stage, on the asking of the Court, Mr. Arun Gupta, AAG, Punjab, who is present in the Court accepts notice on behalf of respondent No. 1 and submits that respondent No. 2 is the appropriate authority to decide the legal notice dated 17.12.2022 (Annexure P-3).

I have heard learned counsel for the parties and have gone through the record of the case.

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 17.12.2022 (Annexure P-3), by passing a speaking order within a period of eight weeks from the date of receipt of certified copy of this order with a further direction that if the petitioner is found to be entitled to the claim mentioned in the legal notice and if there is no legal impediment, necessary disbursement of funds shall be made to him within a period of eight weeks thereafter.

The petition stands disposed of.

(DEEPAK MANCHANDA)
JUDGE

07.08.2023
seema

Whether speaking/reasoned	Yes
Whether Reportable	Yes /No