

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CWP-17907-2023 (O&M)
Date of Decision:-18.08.2023

Inspector (LR) Amarjit Singh

... Petitioner

Versus

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Kamaldip Singh Sidhu, Advocate, for the petitioner.

Mr. Inderpreet Singh Kang, AAG, Punjab.

GURVINDER SINGH GILL, J.(Oral)

1. The petitioner superannuated from service w.e.f. 31.12.2021 while he was serving as Sub-Inspector, but had been granted promotion as Inspector in local rank.
2. Learned counsel for the petitioner submitted that when he had been promoted as Sub-Inspector vide order dated 15.7.2019 (Annexure P-1) w.e.f. 27.9.2016, he was not given the benefit of Annual Increment on account of his retrospective promotion. It has been submitted that although the petitioner after his retirement submitted a representation dated 21.10.2022 (Annexure P-4) upon which order dated 10.3.2023 (Annexure P-5) re-fixing his pay was passed, but his pay has not been correctly fixed. It has further been submitted that subsequently the petitioner also submitted a legal notice dated 17.4.2023 (Annexure P-8) but the same has remained undecided.
3. This Court has considered the aforesaid submissions.

4. This Court finds that the petitioner seeks revision of his pay and also consequential revision of his pension on account of some anomaly having crept in w.e.f. the year 2016 pertaining to fixation of his pay. However, at the same time it is also noticed that it was in the year 2022 that the said issue was raised by the petitioner for the first time, which was considered and the order dated 10.3.2023 (Annexure P-5) was passed.
5. Having regard to the fact that the fixation/re-fixation of pay as in the year 2016 could have effect on the pension as well, therefore, it is ordered that respondent No.2-Director General of Police, Punjab, shall consider the legal notice dated 17.4.2023 (Annexure P-8) and dispose of the same expeditiously by passing a speaking order. In case, it is found that the contentions raised therein do contain substance and his pay had been incorrectly fixed w.e.f. year 2016, then the necessary corrections be carried out and pay be re-fixed. However, having regard to the fact that there has been delay in raising the said issue, it shall be open to the authorities to consider as to whether entire or part of arrears are to be paid or not. While taking any such decision, the authorities concerned shall also take into account as to whether the petitioner had submitted any option at the time of promotion.
6. A copy of this order along with copy of legal notice dated 17.4.2023 (Annexure P-8) be sent to respondent No.2-Director General of Police, Punjab for necessary compliance.

18.08.2023

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**(GURVINDER SINGH GILL)
JUDGE**Whether speaking /reasoned
Whether ReportableYes / No
Yes / No