

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

(111)

CWP-26509-2023

Date of decision: - 28.11.2023

Gopal Krishan**....Petitioner****Versus****State of Punjab and others****.....Respondents****CORAM : HON'BLE MR. JUSTICE VIKAS BAHL**

Present:- Mr. Suvir Kumar, Advocate, for the petitioner.

Mr. Ferry Sofat, Additional Advocate General, Punjab.

Ms. Sangita Dhanda, Advocate, for respondent No.3.

VIKAS BAHL, J. (ORAL)

1. Present writ petition has been filed under Article 226/227 of the Constitution of India for issuance of a writ in the nature of mandamus directing respondents No.1 and 2 to remove the anomaly of the petitioner by stepping up the pay as he is drawing lesser pay than his junior despite the fact that respondents No.3 to 5 have time and again recommended the case of the petitioner for removal of the said anomaly.

2. Learned counsel for the petitioner has submitted that for the grievances of the petitioner, the petitioner had given a legal notice dated 28.07.2023 (Annexure P-24) through his counsel and as per the response dated 19.09.2023 (P-25) to the said legal notice, it has been stated by the authorities that the case is under consideration. It is further submitted that the petitioner, at this stage, would be satisfied in case the competent authority of respondent No.1-State considers the same in accordance with

law, within a specified time frame and in case the pleas raised by the petitioner are found to be meritorious, then, grant the appropriate relief to him.

3. Learned State counsel has submitted that the competent authority of respondent No.1-State would consider the said legal notice dated 28.07.2023 (Annexure P-24), filed by the petitioner, in accordance with law and the same would be done within a period of two months from the date of the certified copy of this order.

4. Keeping in view the above-said facts and circumstances, the present petition is disposed of with a direction to the competent authority of respondent No.1-State to consider the legal notice dated 28.07.2023 (Annexure P-24) filed by the petitioner within a period of two months from the date of receipt of the certified copy of this order and in case the competent authority of respondent No.1-State is of the view that the pleas raised by the petitioner are meritorious, then, the necessary relief be granted to the petitioner as expeditiously as possible. In case the competent authority of respondent No.1-State is of the view that the pleas raised by the petitioner are meritless, then, a speaking order rejecting the claim be passed within the aforesaid period of two months.

5. It is made clear that this Court has not opined on the merits of the case and the competent authority of respondent No.1-State would consider and decide the matter independently, in accordance with law.

November 28, 2023
naresh.k

(VIKAS BAHL)
JUDGE

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No