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

CWP-26796-2023

Date of Decision: 30.11.2023

Dr. Bhupesh Kumar and others

...Petitioners

Versus

State of Haryana and others

...Respondents

CORAM:- HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Madan Pal, Advocate and
Mr. Malwinder Singh Virk, Advocate for the petitioners.

HARSIMRAN SINGH SETHI, J. (Oral)

1. In the present petition, the grievance of the petitioners is that though they are working as Medical Officers but the employees who were junior in the same cadre were getting the higher pay as compared to the petitioners, which is an anomaly. Learned counsel submits that it is a settled principle of law that senior has to get either the same or more salary as compared to the junior employees. Hence, the grant of less salary to the petitioners as compared to the Medical Officers who were juniors to the petitioners in the seniority, is totally arbitrary and illegal.

2. Learned counsel for the petitioners submits that the petitioners have already raised the said grievance in the legal notice dated 11.09.2023 (Annexure P-11) but the same is still pending consideration with the respondents and the petitioners 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.

3. Notice of motion.

4. On the asking of the Court, Mr. Harish Nain, learned Assistant Advocate General, Haryana, who is present in Court, accepts notice on behalf of the respondent-State and submits that in case, the legal notice dated 11.09.2023 (Annexure P-11) has been received in the office of the concerned authorities and the same is still pending consideration with the authorities concerned, the same will be decided by the competent authority within a period of eight weeks of the receipt of certified copy of this order by passing an appropriate speaking order and in case, after the decision, the petitioners are found entitled for any benefit, the same will be extended to them within a further period of four weeks.

5. Learned counsel for the petitioners submits that keeping in view the statement of learned State counsel, the present petition may kindly be disposed of having been treated as not pressed any further.

6. Ordered accordingly.

30.11.2023
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No