

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

114

CWP-768-2024

Date of Decision :12.01.2024

Vijay Kumar and others

...Petitioners

Versus

State of Haryana and others

....Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Ankur Goyat, Advocate for the petitioners.

Mr. Harish Nain, AAG, Haryana

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Harsimran Singh Sethi, J. (Oral)

1. Learned counsel for the petitioners submits that though, the petitioners have been given the benefit of overtime but the same has not been calculated in accordance with law as, calculation of the overtime has been done on the basis of the consolidated salary whereas, from the year 2018 onward, the petitioners are getting the regular pay scale, which should have been made the basis for calculating the overtime.

2. Learned counsel for the petitioners further submits that the respondents are liable to be directed to calculate the overtime payment, which the petitioners are entitled for keeping in view the pay scale, which they were getting rather than to be paid on the basis of consolidated salary.

3. Learned counsel for the petitioners submits that the petitioners has already raised the said grievance in the demand notice dated 04.10.2023 (Annexure P-7) but the same is still pending consideration with the

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.

4. Notice of motion.

5. 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 demand notice dated 04.10.2023 (Annexure P-7) 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.

6. 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 not pressed any further.

7. Ordered accordingly.

January 12, 2024
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No