

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

114

CWP No. 1182-2024 (O&M)
Decided on : 19.01.2024

SUKHBIR SINGH

...PETITIONER

Versus

STATE OF HARYANA AND ANOTHER

... RESPONDENTS

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

PRESENT: Mr. Vikas Kuthiala, Advocate for the petitioner.

Mr. Harish Nain, AAG, Haryana.

HARSIMRAN SINGH SETHI , J. (Oral)

1. Learned counsel for the petitioner argues that once the petitioner has been given a deemed date of appointment on the basis of retrospective effect, he is entitled for the grant of pay-scale from the date of appointment/seniority and not from the date when he was actually appointed as the same creates the anomaly.
2. Learned counsel for the petitioner further submits that the respondents are under obligation to treat the petitioner in service from the date seniority is given to him for all the intends and purposes including the grant of pay-scale as well as pay from the relevant date.
3. Notice of motion.
4. Mr. Harish Nain, AAG, Haryana, who is present in Court, accepts notice on behalf of State of Haryana-respondents
5. Learned State counsel submits that the petitioner has filed the present petition without approaching the department concerned by raising the grievance as raised in the present petition, hence, in case, the petitioner has any grievance with regard to the pay-scale, he is free to file an

appropriate representation with the respondents and in case any such representation is filed by the petitioner, the same will be considered and decided in accordance with law within a period of **eight weeks** from the date of receipt of any such representation from the petitioner by passing appropriate speaking order and in case, after the decision, the petitioner is found entitled for any benefit, the same will be extended to him within a further period of **four weeks**.

6. Learned counsel for the petitioner submits that keeping in view the statement of learned State counsel, the present petition may kindly be disposed of having been not pressed, at this stage, with liberty to file a representation with respondents so as to raise all the claims as raised in the present petition.

7. Ordered accordingly.

(HARSIMRAN SINGH SETHI)
JUDGE

19.01.2024

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<i>Whether speaking/reasoned:</i>	<i>Yes/No</i>
<i>Whether Reportable:</i>	<i>Yes/No</i>