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**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH****CWP-11389-2000 (O&M)****Date of Decision : 23-08-2024****TARSEM LAL****.....Petitioner****VERSUS****STATE OF PUNJAB & ORS****.....Respondent(s)****CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI**

Present: Mr. Vikas Chatrath, Advocate for the petitioner.

Mr. Amarpreet Singh Bains, AAG Punjab.

HARSIMRAN SINGH SETHI, J. (Oral)

In the present petition, the grievance raised by the petitioner is that he was drawing salary lesser than his junior, which is impermissible.

Upon notice of motion, respondents have filed the reply wherein the respondents have mentioned that the pay scales were revised w.e.f 01.01.1986 and the petitioner was given the option for the revised pay scale and his pay has been fixed according to option to adopt the new pay scale w.e.f 01.08.1987 and it is only due to the implementation of his option, the petitioner is getting lesser salary and therefore he cannot raise any grievance.

Faced with the situation, learned counsel for the petitioner submits that keeping in view the enhancement of the pay scale from 01.01.1986, the respondents should have given the petitioner a chance to change his option.

Learned counsel for the petitioner further submits that the change in option, keeping in view the enhancement of the pay scale subject

to exercise the option has already been allowed in the number of cases by this Court.

Learned counsel for the petitioner submits that he does not know as to whether the petitioner has exercised the said option or not. Hence, liberty be given to the petitioner to approach the respondents for change of his option to the revised pay scale from 01.01.1986 instead of 01.08.1987 and the petitioner would be satisfied at this stage, if direction is issued to the respondents to decide the same in the time bound manner by passing an appropriate speaking order.

Learned State counsel submits that in case any representation have been received in the concerned office, the same will be considered in accordance with the law and in case permissible to accept the claim of the petitioner, the same would be passed by respondents within a period of 8 weeks of the receipt of copy of this order. Learned State counsel further submits that in case, it is found feasible to accept the claim of the petitioner, the same will be accepted, otherwise due reasons will be mentioned for not accepting the claim of the petitioner, which will be conveyed to him.

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

Ordered accordingly.

Pending application, if any, also stands disposed of.

23-08-2024
Sapna Goyal

(HARSIMRAN SINGH SETHI)
JUDGE

NOTE: Whether speaking: YES/NO
Whether reportable: YES/NO