

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

123

CWP-3922-2024 (O&M)
Date of decision: 21.02.2024

Bhajan Singh Brar

....Petitioner

Versus

State of Punjab and Others

...Respondents

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. Ajay Rana, Advocate for the petitioner

AMAN CHAUDHARY. J.

1. The present Civil Writ Petition has been filed under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of certiorari for setting aside the order dated 03.07.2019, vide which the claim of the petitioner was rejected by the respondent without going into the actual calculations of the salary of the petitioner.
2. Learned counsel submits that the salary of the petitioner was not fixed as per the illustration 6 of Punjab Civil Service (Revised Pay Rules, 2009), Notification No.5/10/09-5FPI/207 dated 27.05.2009, for which purpose, he had received the communication dated 03.07.2019, Annexure P-4, against which he has filed an appeal, which was forwarded to the said authorities vide memo dated 16.08.2022, Annexure P-5/A, but has yet not evoked any response, despite a legal notice was also sent on 27.04.2023, Annexure P-7. They have merely reiterated the stand without giving any justification and deciding the appeal. He thus, at this stage, on instructions, submits that the petitioner is sanguine of it being considered in a positive manner, in case, a direction is given to the respondents to decide the

same in a time bound manner by granting him an opportunity of hearing.

3. Notice of motion.
4. At the asking of the Court, Mr. Swapan Shorey, DAG Punjab accepts notice on behalf of the respondent-State and has no objection to the limited prayer made.
5. In view of the aforesaid and without commenting upon the merits of the case, this petition is hereby disposed of with a direction to respondents to consider the Legal Notice dated 27.04.2023, Annexure P-7 and decide the same within a period of six months and if found entitled, necessary benefit be granted to him forthwith. However, in the eventuality of the relief being denied, a speaking order be passed, after associating the petitioner therewith.

(AMAN CHAUDHARY)
JUDGE

21.02.2024
M.Kamra

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No