

2024:PHHC:030487
**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

147 CWP-5189-2024 (O&M)
Date of decision: 04.03.2024

Ranjit Singh and another ..Petitioners

Versus

State of Punjab and another ..Respondents

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present: Mr. Amrik Singh, Advocate for the petitioners.

AMAN CHAUDHARY, J

1. The prayer in the present Civil Writ Petition filed under Article 226/227 of the Constitution of India, is for issuance of a writ in the nature of certiorari quashing the order dated 29.11.2022 (Annexure P9) only to the extent vide which the arrears of pay has been restricted to only 38 months prior to the date of subsequent legal notice dated 29.03.2022 (Annexure P7).
2. Learned counsel would contend that stepping up of pay qua to the juniors has been granted to the petitioners, however, the arrears have been restricted to 38 months prior to 29.03.2022, the date of legal notice. The claim of the petitioners is of granting the said arrears 38 months prior to the first legal notice dated 20.08.2019 (Annexure P11). In this regard, a legal notice dated 30.01.2023 (Annexure P12), has been served upon the respondents, which has yet not evoked any response. He thus, at this stage, on instructions, submits that the petitioners are 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 them an opportunity of hearing.

3. Notice of motion.

4. At the asking of the Court, Mr. Manipal Singh Atwal, 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 the respondents to consider the legal notice dated 30.01.2023, Annexure P12 and decide the same taking note of the pleas raised, within a period of 6 months and if found entitled, necessary benefit be granted to them forthwith. However, in the eventuality of the relief being denied, a speaking order be passed, after associating them therewith.

04.03.2024

ashok

**(AMAN CHAUDHARY)
JUDGE**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No