

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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CWP-6182-2024 (O&M)
Date of decision: 15.03.2024

Harjinder Singh

....Petitioner

Versus

State of Punjab and Others

...Respondents

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. H.C. Arora and Ms. J.S. Chhibber, Advocates 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 quashing the condition in appointment letter dated 08.05.2023, mandating that during the probation period of three years, as Punjabi Master, the petitioner shall be paid the starting salary in the relevant scale of pay.

2. Learned counsel would contend that the petitioner, who was Patwari in the revenue department and thereafter, he was appointed as Punjabi Master on 01.06.2023 through proper channel, is entitled for pay protection during the period of probation in terms of circular dated 15.01.2015 and clarification dated 25.09.2017, Annexures P-13 and P-15 respectively. The request was also forwarded by the Principal on 23.08.2023, Annexure P-8, which has yet not been decided. One Angrej Singh, similarly situated to the petitioner, who had filed CWP-21389-2023 involving the same issue, wherein notice of motion was issued for 07.02.2024 and during pendency thereof, the relief was granted. He thus, at this stage, on instructions, submits that the petitioner shall be satisfied, in case, a direction is given to the respondents to decide the letter Annexure P-8 or take a

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

3. Notice of motion.
4. At the asking of the Court, Mr. Satnam Preet Singh, 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 and decide the letter dated 23.08.2023, Annexure P-8, taking note of the circulars dated 15.01.2015 and 25.09.2017 as also the order passed in case of Angrej Singh, as stated by the petitioner within a period of 3 months.

(AMAN CHAUDHARY)
JUDGE

15.03.2024
M.Kamra

Whether speaking/reasoned

Whether reportable

:

Yes / No

:

Yes / No