

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

123

CWP-8560-2024 (O&M)

Date of decision: 19.04.2024

Gurinderjit Singh and anr

..Petitioners

Versus

State of Punjab and ors

..Respondents

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present: Mr. Vineet Chaudhary, Advocate for the petitioners.

AMAN CHAUDHARY, J (Oral)

1. The prayer in the present petition is for directing the respondents to consider the claim of the petitioners and removing the anomaly by stepping up their pay equal to their juniors.

2. Learned counsel would contend that the petitioners joined as JBT teachers in 1998 and were promoted in 2006. However, consequent to a proficiency step up, pay of their junior was fixed higher than them, in which regard they have served legal notices dated 02.12.2022 and 29.01.2024, Annexures P11 and P13, requesting to remove the said anomaly and seeking step-up of their pay in view of the law laid down in **Commissioner and Secretary to Government of Haryana vs. Ram Sarup Ganda**, 2007 (2) SCT 476, which have 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 above and without commenting on the merits of the case, this petition is hereby disposed of with a direction to the respondents to decide the legal notices dated 02.12.2022 and 29.01.2024 in light of the afore-referred judgment, within a period of 6 months, which this Court has no reason to believe the authorities would not address in a just, fair and reasonable manner. Upon doing so, after notice and hearing offered to them and if found entitled, grant the benefit forthwith. Needless to say, if the orders are adverse to their interest, the same shall contain reasons and the petitioners shall be free to seek legal redress thereupon.

19.04.2024

ashok

(AMAN CHAUDHARY)
JUDGE

Whether speaking/reasoned :

Whether reportable :

Yes/No

Yes/No