

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

107

CWP-2280-2015
Date of Decision: 09.01.2024

Manohar Lal ...Petitioner

Versus

State of Punjab and another ...Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present:- Mr. V.K. Shukla, Advocate and
Mr. Ashish Gupta, Advocate for the petitioner
Mr. Inderpreet Singh Kang, AAG, Punjab

JAGMOHAN BANSAL, J. (Oral)

1. On 30.08.2022, the following order was passed:-

“Learned counsel for the petitioner herein would submit that on an application filed for stepping up the pay of the petitioner comparable to that of Mr. Jatinder Nath Yakhmi, the same had been allowed and his pay had been fixed with effect from 12.03.2001 vide order dated 22.05.2014 (Annexure P-1). However, certain instructions were issued in the year 2012 for exercising option for revision of pay scales and the petitioner exercised his options thereunder. However, his claim has been rejected on the ground that his claim can only be considered along with the person with whom his pay had been stepped up i.e. Mr. Jatinder Nath Yakhmi. It is submitted that Mr. Jatinder Nath Yakhmi, had expired in the year 2006 and was not alive to exercise his option, which was sought only in the year 2012 and, therefore, his claim has to be now considered along with his batchmates and persons, who were appointed on the same date. It is further submitted that the instructions as relied upon by the State would not be applicable in the present situation.

Learned State counsel seeks some time to get necessary instructions in this regard.

Adjourned to 02.12.2022.”

2. On 04.01.2024, the following order was passed:-

“Learned State counsel submits that petitioner was claiming parity with two employees. The Competent Authority considering pay of other employees has passed two different orders with respect to claim of the petitioner.

Learned State counsel handed over copy of orders to learned counsel for the petitioner who seeks time to go through the same and address the arguments.

Adjourned to 09.01.2024.

To be shown in the Urgent List.”

3. Mr. V.K. Shukla, learned counsel for the petitioner submits that case of the petitioner may be considered in light of case of another employee namely Malkiat Singh Mann and the petitioner for the said purpose has already moved an application before the competent authority.

4. Faced with this, Mr. Inderpreet Singh Kang, learned State counsel assures the Court that application of the petitioner would be considered and disposed of within 3 months in accordance with law.

5. In the wake of statement made by learned State counsel, the present petition stands disposed of.

(JAGMOHAN BANSAL)
JUDGE

09.01.2024
Mohit Kumar

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>