

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

112

CWP-29394-2023
Date of Decision: 16.01.2024

Rai Singh alias Rai Singh Sharma ...Petitioner(s)

Versus

State of Haryana and others ...Respondent(s)

CORAM: HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA

Present:- Mr. Suresh Kumar Kaushik, Advocate for the petitioner

Mr. Sanjeev Kaushik, Addl. AG, Haryana

TRIBHUVAN DAHIYA, J. (Oral)

At the outset, learned counsel for the petitioner does not press the petition for re-fixation of petitioner's pay in the revised pay scale with effect from 01.04.1979. The only prayer is to issue a writ of *certiorari* quashing the orders dated 07.08.2020 and 03.08.2021, Annexures P-2 & P-6 respectively, whereby the petitioner's claim for annual increment which was due on 01.07.2010, i.e., a day after his retirement on 30.06.2010, has been rejected. He, therefore, submits that the petitioner may be allowed to make a representation in this regard before respondent no.2 and the same may be ordered to be decided within a specified period.

2. Notice of motion.

3. Mr. Sanjeev Kaushik, Addl. AG, Haryana, accepts notice on behalf of respondents/State and submits that in case any such representation is filed by the petitioner, the same shall be considered and decided by respondent no.2 expeditiously keeping in view the law laid down by the Supreme Court in SLP (Civil) No.6185 of 2020 titled *The Director (Admn. And HR) KPTCL and others v. C.P. Mundinamani and others*.

4. In view thereof, without going into the merits of the case, the petition is disposed of with liberty to the petitioner to file a representation before respondent No.2 within a period of one week from today. In case any such representation is filed, the same shall be decided by respondent No.2/Engineer-in-Chief, Irrigation & Water Resources, Haryana, by passing a speaking order keeping in view the law laid down by the Supreme Court in *C.P. Mundinamani case (supra)*, within a period of three months from the date of receiving the representation.

(TRIBHUVAN DAHIYA)
JUDGE

16.01.2024
Payal

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