

CWP-34210 of 2024

2024:PHF-C:169737



**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CWP-34210 of 2024

Date of decision: 18.12.2024

Avtar Singh Azad

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE NAMIT KUMAR

Present: - Mr. Dhiraj Chawla, Advocate,
for the petitioner.

Mr. Rajesh Sehgal, Addl. A.G., Punjab.

NAMIT KUMAR, J. (ORAL)

1. Present petition has been filed by the petitioner seeking direction to the respondent to grant revised pay scale of Rs.15600-39100+6600 (G.P.) w.e.f. 24.02.2011 with further revisions as per notification dated 24.09.2024 (Annexure P-7) with consequential revision of pension and release arrears of pay, to release five annual increments for the year 2009, 2010, 2011, 2012 and 2013 which were withheld due to ongoing departmental proceedings at that time, however, the same stands quashed by this Court vide order dated 13.02.2024 passed in CWP-20841 of 2017 (Annexure P-6), which has been further upheld in LPA No.2412 of 2024, further release 22% withheld pension w.e.f. 01.07.2015 till date along with arrears thereof and release allowances of four LTCs after 01.07.2015 and regularise the suspension period from 12.12.2008 to 03.07.2009 and release of consequential arrears of salary, release the due notional increment from



the due dates along with interest @ 9% per annum and to notionally promote the petitioner as Joint Deputy Director, Local Government from the due date as junior of the petitioner Sh. K.S. Brar was promoted as Joint Deputy Director, Local Government vide orders dated 18.06.2015 by relaxing the working experience of three years.

2. Learned counsel for the petitioner submits that for seeking aforesaid relief, petitioner has served legal notice dated 10.10.2024 (Annexure P-8) upon the respondent, however, neither the petitioner has been granted the aforesaid benefit nor the said legal notice has been replied to. He submits that at this stage, petitioner would be satisfied, if the said legal notice is considered and decided by passing a speaking order in a time-bound frame.

3. Notice of motion.

4. Mr. Rajesh Sehgal, Addl. A.G., Punjab, accepts notice on behalf of the respondent and has no objection to the innocuous prayer made by learned counsel for the petitioner.

5. I have heard learned counsel for the parties and have gone through the record of the case.

6. Without expressing any opinion on the merits of the case or the claim being made by the petitioner in the present petition, respondent is directed to consider and decide the claim made by the petitioner in legal notice dated 10.10.2024 (Annexure P-8) in accordance with law, by passing a speaking order within a period of three months from the date of receipt of certified copy of this order. In

CWP-34210 of 2024

2024:PHF-C:169737



case, the petitioner is found entitled, necessary benefits be released within a period of one month thereafter.

7. The petition stands disposed of.

18.12.2024
R.S.

(NAMIT KUMAR)
JUDGE

Whether speaking/reasoned

:

Yes/No

Whether Reportable

:

Yes/No