



CWP-25770-2019

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

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CWP-25770-2019

Date of decision: 16.01.2025

Hardev Singh

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. Jugam Arora, Advocate
for the petitioner.

Mr. Charanpreet Singh, AAG, Punjab.

AMAN CHAUDHARY, J. (Oral)

1. Prayer made in the present petition is for removal of anomaly from the date it occurred in the pay scale for the post of Assistant Controller (Legal Metrology) lower than the pay scale of the feeder post (Inspector), that came to be declined on 14.06.2019, despite recommendations of authorities in favour of the petitioner on the plea that the department has already made reference to 6th Pay Commission for grant of higher pay scale vide memo dated 26.12.2016, Annexure P-8.

2. Learned counsel for the petitioner states that it is well settled law that the anomaly has to be removed from the date its occurrence and not from the future date and also that the pay of feeder cadre cannot be higher than the promotional post. Reliance in this regard is placed on the judgment passed by this Court in **Balwinder Singh and another vs. State of Punjab and others**, 2008(1) SLR 250 and on instructions, prays that the issue may be reconsidered in a time bound manner, keeping in view the aforesaid submissions as also the judgment, to which learned State counsel has no objection.



3. In view of the above and without commenting upon the merits of the case, this petition is hereby disposed of with a direction to the respondent-State to reconsider and decide the claim of the petitioner, keeping in view the aforesaid submissions and judgment referred to above, 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 him and if found entitled, grant the benefit forthwith. Needless to say, if the orders are adverse to his interest, the same shall contain reasons and petitioner shall be free to seek legal redress thereupon.

(AMAN CHAUDHARY)
JUDGE

16.01.2025
Hemant

Whether speaking/reasoned	:	Yes / No
Whether reportable	:	Yes / No