

**CWP-29923-2024****1****IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH****(120)****CWP-29923-2024****Date of Decision : January 15, 2025****Jatinder Sehajpal****.. Petitioner****Versus****State of Punjab and others****.. Respondents****CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI**

Present: Mr. Umesh Pandey, Advocate, for
Mr. M.M. Pandey, Advocate, for the petitioner.

Mr. Aditya Sharda, DAG, Punjab.

HARSIMRAN SINGH SETHI J. (ORAL)

1. Learned counsel for the petitioner submits that the petitioner is claiming the benefit of pay scale admissible to the post on which, he is working but the same is being denied in pursuance to the instructions dated 17.07.2020 (Annexure P-8), which is arbitrary and illegal.

2. Learned counsel for the petitioner further submits that the petitioner has already raised the said grievance in the legal notice dated 20.08.2024 (Annexure P-12) to claim the benefit, which is still pending consideration with the respondents and the petitioner will be satisfied in case, the legal notice is decided in a time bound manner.

3. Notice of motion.

4. Mr. Aditya Sharda, learned Deputy Advocate General, Punjab, who is present in the Court, accepts notice on behalf of the respondents.

5. Learned counsel for the respondents submits that the legal notice dated 20.08.2024 (Annexure P-12) has already been decided and the

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communication has already been sent to the counsel for the petitioner vide letter dated 10.01.2025 and the claim raised has already been rejected by giving due reasons.

6. Learned counsel for the petitioner submits that the reasons being given by the respondents to deny the benefit are contrary to the judgment of this Court passed in ***CWP No.15896 of 2023 titled as Saurabh Sharma and others vs. State of Punjab and another and other connected cases, decided on 13.09.2024 (Annexure P-13)***, which judgment has already been upheld by the Division Bench.

7. Learned counsel for the respondents submits that the claim of the petitioner will be re-considered in light of the judgment in ***Saurabh Sharma's case (supra)*** and appropriate fresh order will be passed on the claim of the petitioner whether he is entitled for the pay scale of the post as envisaged under the Rules, within a period of eight weeks from the date of receipt of copy of this order and in case, after the decision any relief is to be extended to the petitioner, the same will be extended, otherwise due reasons will be mentioned in the speaking order to be passed for not accepting the claim of the petitioner for his information and necessary action.

8. Learned counsel for the petitioner submits that keeping in view the statement of learned counsel for the respondents, the present writ petition may kindly be disposed of having been not pressed any further.

9. Ordered accordingly.

January 15, 2025
harsha

(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes
Whether reportable : No