

Gulshan Kumar and Others Vs. State of Haryana and Others

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Court : Punjab and Haryana

Decided On : Jan-22-2014

Appellant : Gulshan Kumar and Others

Respondent : State of Haryana and Others

Judgement :

CWP No.1027 of 2014 1 IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH102CWP No.1027 of 2014 Date of Decision : January 22, 2014 Gulshan Kumar and others ...PETITIONERS versus State of Haryana and othersRESPONDENTS CORAM : HON'BLE Mr.JUSTICE AUGUSTINE GEORGE MASIH Present : Mr.Vikas Chatrath, Advocate, for the petitioneRs.AUGUSTINE GEORGE MASIH, J.

(ORAL) Petitioners have approached this Court praying for stepping up of their pay at par with their junior, namely, Sh.

BanaRs.Dass Gulati along with all consequential benefits including interest in the light of the judgments of the Supreme Court in the cases of P.

Jagdish versus Union of India and otheRs.1997 (2) SCT664and Punjab State Electricity Board and others versus Gurmail Singh, 2008 (3) SCT18 It has been asserted that Sh.

BanaRs.Dass Gulati, who is junior to the petitioneRs.has been granted the benefit of higher pay scale than the petitioners and as of now he is drawing higher pay

than the petitioners despite being junior to them.

Prerna datta 2014.01.23 11:19 I attest to the accuracy and integrity of this document High Court, Chandigarh CWP No.1027 of 2014 2 Counsel for the petitioners contends that putting forth their claim, they have served legal notices dated 13.09.2013 (Annexure P-8) and 28.12.2013 (Annexure P-9) upon the respondents, which have, till date, not been responded to nor any benefit granted to them.

Counsel for the petitioners contends that the petitioners at this stage, would be satisfied if a direction is issued to the Director, Health Services, Haryana-respondent No.2 to consider and decide the legal notices dated 13.09.2013 (Annexure P-8) and 28.12.2013 (Annexure P-9) within some specified time.

In the light of the above submissions of the counsel for the petitioners and without going into the merits of the case or commenting thereon, the present writ petition is disposed of with directions to the Director, Health Services, Haryana-respondent No.2 to consider and decide the legal notices dated 13.09.2013 (Annexure P-8) and 28.12.2013 (Annexure P-9) within a period of four months from the date of receipt of certified copy of this order.

In case the claim of the petitioners is accepted, the consequential benefits, if any, be released to them, in accordance with law, within a further period of two months.

Petitioners shall, however, be not entitled to any arrears prior to 38 months from the date of service of the legal notices.

(AUGUSTINE GEORGE MASIH) January 22, 2014 JUDGE pj Prerna datta 2014.01.23 11:19 I attest to the accuracy and integrity of this document High Court, Chandigarh CWP No.1027 of 2014 3 Prerna datta 2014.01.23 11:19 I attest to the accuracy and integrity of this document High Court, Chandigarh

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