

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

106

CM No.3518 of 2015

and

Civil Writ Petition No.2068 of 2015

Date of Decision:18.03.2015

Narinder Singh and others

....petitioners

Versus

State of Punjab and others

.....respondents

CORAM: HON'BLE MR.JUSTICE ARUN PALLI

Present: Mr.Santosh Kumar Sharma, Advocate
for the petitioners

ARUN PALLI, J.(ORAL):-

CM No.3518 of 2015

It is maintained that since the deficiency in Court fee has already been made good, thus the petition be heard on merits.

CM stands disposed of.

Civil Writ Petition No.2068 of 2015

A writ in the nature of mandamus is prayed for, directing the respondents to consider and decide the legal notice dated 17.09.2013 (Annexure P2), that has been served upon them, and, also grant the petitioners 5% of the basic pay, as Border Area Allowance, on account of being posted within 10 miles/16 KMs of international border with Pakistan, in terms of the policy instructions of the Government issued from time to time. Particularly, as similarly circumstanced persons like the petitioners, have already been extended the said benefit, in terms of the decision of this Court, rendered in *CWP No.10761 of 2013*, titled as "*Surinder Kumar and others vs. State of Punjab and others*".

It is maintained that prior to the institution of this petition, the petitioners had even served upon the respondents a legal notice dated 17.09.2013 (Annexure P2), but the same has failed to evoke any response.

Learned counsel for the petitioners submits that, at this stage, let this petition be disposed of with a direction to the respondents to consider and decide their legal notice, within a stipulated period of time.

That being so, and without expressing any opinion on merits, the instant petition is disposed of with a direction to the respondents, to consider and decide the claim of the petitioners as set out in the legal notice dated 17.09.2013 (Annexure P2), strictly, in accordance with law, within a period of three months, from the date of receipt of the certified copy of this order. Needless to assert, a comprehensive order shall be passed assigning reasons, in support of the decision arrived at.

The petition stands disposed of.

18.03.2015
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(ARUN PALLI)
JUDGE