

**HIGH COURT FOR THE STATES OF PUNJAB & HARYANA AT
CHANDIGARH**

MUKESH KUMAR SALUJA
2015.02.20 18:07
I attest to the accuracy and
authenticity of this document

**CWP No.8721 of 2013
Date of decision:16.02.2015**

Sanjay Kumar

...Petitioner

Versus

Haryana Women's Development Corporation Limited and others

...Respondents

CORAM: HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

1. To be referred to the Reporters or not ?
2. Whether the judgment should be reported in the Digest ?

Present: Mr.B.S.Rathee, Advocate for the petitioner.

Mr.Anil Rathee, Advocate for the respondents.

RAMESHWAR SINGH MALIK, J. (Oral)

Feeling aggrieved against the alleged inaction on the part of respondent authorities, petitioner has approached this Court by way of instant writ petition under Articles 226/227 of the Constitution of India, seeking a writ in the nature of mandamus.

Notice of motion was issued and pursuant thereto, written statement has been filed on behalf of the respondents.

However, the written statement on behalf of respondents is conveniently silent about the action taken on the legal notice dated 12.7.2012 (Annexure P-14) saying that legal notice was not received by respondent No.1. Further, it does not appeal to reason as to how the petitioner is being paid paltry amount of Rs.500/- per month, in spite of the fact that he was working on part time basis.

During the course of hearing, learned counsel for the respondents could not deny the material fact that minimum wages at the DC rate would be not less than Rs.2550/- per month. If that is so, why the said monthly wages

should not have been paid to the petitioner. However, since the self-contained legal notice, submitted by the petitioner vide Annexure P-14 has not been decided by the respondent authorities, it would be appropriate to direct the respondent authorities to consider and decide the said legal notice within a reasonable time.

Having heard the learned counsel for the parties and without expressing any opinion on the merits of case, lest it should prejudice the rights of either of the parties, the Managing Director, Haryana Women's Development Corporation Limited-respondent No.1, is directed to look into the matter, consider the grievance of the petitioner raised vide his legal notice dated 12.7.2012 (Annexure P-14), which prima facie seems to be genuine and decide the same at an early date, by passing an appropriate order thereon, strictly in accordance with law and also keeping in view the law laid down by the Hon'ble Supreme Court as well as this Court, but in any case within a period of two months from the date of receipt of a certified copy of this order. It is also made clear that if so desired, petitioner shall be entitled to supplement his above-said legal notice by moving an appropriate representation within a period of two weeks from today.

With the above-said observations made and directions issued, the present writ petition stands disposed of.

16.02.2015
mks

(RAMESHWAR SINGH MALIK)
JUDGE