

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

CWP No.1353 of 2016

Date of Decision:22.01.2016

Joginder Kumar & ors.

... Petitioner

Versus

The State of Punjab & ors.

... Respondents

CORAM:- HON'BLE MR. JUSTICE RAJIV NARAIN RAINA

Present: Mr. SK Rattan, Advocate,
for the petitioners.

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

RAJIV NARAIN RAINA, J.(Oral)

The petitioners claim that the present case is covered by the orders of this Court passed in CWP No.22422 of 2010 decided on 16th May, 2012 (Anil Kumar and others vs. State of Punjab and others, Annexure P-5) and the LPANo.1729 of 2012 decided on 5th February, 2014 (State of Punjab and others vs. Anil Kumar and others, Annexure P-6) wherein the arrears of monetary benefits are restricted to 38 months prior to the date of filing of the writ petition. The petitioners have served legal notice dated 6th November, 2015(Annexure P-7) on the respondents. But no action has been taken on the legal notice so far. Learned counsel for the petitioners states that the petitioners would be satisfied if this Court issues time bound directions to the decision-maker amongst the respondents to consider and decide the legal notice by passing a speaking order. The request is fair and reasonable and is accepted.

This petition is disposed of with a direction to the decision

maker amongst the respondents to take a decision on the legal notice (Annexure P-7) within three months from the date of receipt of a certified copy of this order. Needless to say that while taking decision, the authority would consider the precedents relied upon as above. In case an adverse order is contemplated against the petitioners, then they would have a right to be heard and a speaking order would be passed containing reasons for denying the relief to the petitioners.

(RAJIV NARAIN RAINA)
JUDGE

22.1.2016

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