

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

**C.M. Nos.1695-96 of 2017 in
CWP No.17302 of 2012**

Date of Decision:28.03.2017

Budh Singh and others

... Petitioners

Vs.

State of Haryana and otehrrs

... Respondents

CORAM : HON'BLE MR. JUSTICE P.B. BAJANTHRI

Present : Mr. Sajjan Singh, Advocate for the petitioners.

Mr. Hitesh Pandit, Addl. A.G. Haryana.

P.B. BAJANTHRI J. (Oral)

C.M. No.1695-96 of 2017

The applications are allowed as prayed for. Documents Annexures P-5 to P-8 are taken on record. Filing of certified/true typed copies of the same are exempted. The main case is taken up for hearing today itself.

Main case

In the instant petition, the petitioners have sought for writ of mandamus directing the respondents to grant emoluments which are admissible to them as per the gazette notification dated 30.12.2008 and 18.8.2009 (Annexures P-1 and P-2 respectively).

The petitioners have directly approached this Court without there being demand before the competent authority. Unless and until there is demand before the competent authority, the petitioners are not entitled for issuance of writ of mandamus. Therefore, the petition is not maintainable. However, disposal of this petition will not come in the way of the petitioners to make necessary representation before the competent authority while enclosing the earlier decision passed by this Court so as to extend the

benefit of emoluments on par with the others who have been granted such benefits. If such representation is made to the competent authority, the same shall be considered within a reasonable period.

With the above observation, petition stands disposed of.

28.03.2017
rajeev

(P.B. Bajanthri)
Judge

Whether speaking/reasoned Yes/No

Whether reportable Yes/No