

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

Sr. No.252

Civil Writ Petition No.14588 of 2016
DECIDED ON: September 20, 2017

RAM SARAN ARORA

..PETITIONER

VERSUS

PUNJAB AGRICULTURAL UNIVERSITY AND ANOTHER

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Naresh Prabhakar, Advocate,
for the petitioner(s).

Mr. Deepak Agnihotri, Advocate,
for the respondents.

JASPAL SINGH, J. (ORAL)

Through the instant civil writ petition, preferred under Articles 226/227 of the Constitution of India, petitioner has sought the issuance of a writ in the nature of certiorari for quashing the communication dated July 23, 2015 (P-6) as well as issuance of a writ in the nature of mandamus directing the respondents to revise the pay scale of the petitioner from January 01, 2006 and to grant all consequential benefits along with interest on delayed payments.

2. Undoubtedly, petitioner served a legal notice dated July 04, 2015 (P-5), in pursuance to which, letter dated July 23, 2015 (P-6) was passed by the respondents which is under challenge, whereby the relief claimed by the petitioner with regard to revision of pay scale w.e.f. January 01, 2006 was declined.

Civil Writ Petition No.14588 of 2016

3. A glance at the letter/order dated July 23, 2015 (P-6), which has been challenged through instant writ petition transpires that respondents neither passed any speaking order nor any of the submissions reflected in the legal notice have been dealt with by the Department concerned. Thus, letter/order dated July 23, 2015 (P-6) is no order in the eyes of law and same is set aside. Respondents are required to pass a speaking order after considering the various submissions involved in the legal notice dated July 04, 2015 (P-5).

4. Accordingly, instant petition is disposed of with a direction to respondents to consider the legal notice dated July 04, 2015 (P-5) afresh in the light of various rules, regulations and instructions applicable to the facts and circumstances of the case in hand and then pass a speaking order within a period of three months from the date of receipt of a certified copy of this order.

5. However, if the petitioner still feels aggrieved of the orders passed by the concerned Department, he shall be at liberty to approach this Court.

September 20, 2017

Ankur

**(JASPAL SINGH)
JUDGE**

**Whether speaking/reasoned
Whether reportable**

**Yes/No
Yes/No**