

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

**CWP No. 17650 of 2017
DECIDED ON: AUGUST 09, 2017**

DR. NARINDER SINGH MULTANI

.....PETITIONER

VERSUS

SATE OF PUNJAB & OTHERS

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Ms. Alka Chatrath, Advocate
for the petitioner.

JASPAL SINGH, J (ORAL)

By virtue of instant petition preferred under Article 226 of the Constitution of India, petitioner has sought the issuance of a writ in the nature of mandamus directing the respondents to release the amount of arrears i.e. ₹4,63,216/- accrued to the petitioner on account of grant of senior scale w.e.f. October 06, 1995 instead of October 05, 2000 and selection grade w.e.f. October 06, 2000 instead of October 05, 2005, after counting the ad hoc service as per directions issued by this Court and in pursuance of orders dated March 17, 2009 (P-3) passed by the DPI (Colleges), Punjab and after grant of two

advance increments for having acquired degree of Ph.D. vide order dated September 22, 2009 (P-4), which has not been released by respondent No.3 in spite of repeated representations and letters dated October 09, 2015 (P-6), March 09, 2017 (P-8) and June 21, 2017 (P-10) issued by DPI (College), Punjab to respondent No.2 to respondent No.3, as the action of respondents in withholding the arrears due to the petitioner after his retirement is in violation of the settled law with further direction to grant the petitioner interest @12% per annum on the delayed payments.

2. At the very outset, learned counsel for the petitioner submits that despite various letters dated October 09, 2015 (P-6), March 09, 2017 (P-8) and June 21, 2017 (P-10) issued by respondent No.2 to respondent No.3 whereby, respondent No.3 was asked to release the due arrears to the petitioner and to intimate the reasons for not making the payment so far, respondent No.3 has not released the arrears to the petitioner. He further submits that even though he also served a legal notice dated May 15, 2017 (Annexure P-9) upon the respondents which neither fetch any reply nor any conscious decision has been taken by the respondents on the same, till date. Petitioner feels satisfied in case a direction is issued to respondent No. 2 to consider and decide the legal notice (Annexure P-9) within a stipulated period.

3. Accordingly, instant petition is disposed of with a direction to respondent No.2 to look into the grievances unfolded by the petitioner in the legal notice dated May 15, 2017 (Annexure P-9) in accordance with law, rules, regulations and instructions issued by the Government from time to time within a period of two months from the date of receipt of certified copy of this order.

In case the concerned authority comes to the conclusion that petitioner is entitled to the relief(s) claimed by him, to make the payment thereof, within next one month. However, in case petitioner still aggrieved by the order of the concerned authority, he shall be at liberty to approach this Court.

AUGUST 09, 2017
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(JASPAL SINGH)
JUDGE

Whether speaking/reasoned *Yes/No*

Whether reportable *Yes/No*