

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

**CWP No.18773 of 2017
DECIDED ON: August 22, 2017**

DR. DHARAMPAL GODARA

.....PETITIONER..

VERSUS

STATE OF PUNJAB AND OTHERS

.....RESPONDENTS..

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Arjun Sharma, Advocate,
for the petitioner.

JASPAL SINGH, J (ORAL)

By virtue of instant petition preferred under Article 226/227 of the Constitution of India, petitioner has sought issuance of a writ in the nature of mandamus of certiorari for quashing impugned letter dated 22.09.2011 (Annexure P-2), whereby the pay/salary of the petitioner for re-employed period was fixed as a sum of Rs.40691/- and DA was denied, as the same is against condition No.1 of the appointment letter dated 21.07.2011 (Annexure P-1). And further for issuance of direction to the respondents to fix the consolidated salary of the petitioner under the re-employment scheme after including DA in the basic pay and further to pay the difference of salary for the re-employed period along with interest @ 18% p.a. from the date when it became due till its realization.

2. Learned counsel for the petitioner submits that though legal notice dated 29.04.2016 (Annexure P-5) was duly served upon the respondents but neither any action has been taken nor any response has been received so far. He further submits that petitioner feels satisfied in case direction is given to respondent(s), to decide the legal notice, in terms of judgment passed by this Court in CWP No.8513 of 2012 (O&M), titled as ***“Dr. Kapoor Chand Goyal v. State of Punjab and others”***, decided on 15.07.2016, which has attained finality, within a stipulated period.

3. Accordingly, instant petition is disposed of with the direction to respondent(s), to look into the grievances unfolded by the petitioner in his legal notice dated 29.04.2016 (Annexure P-5) and take a conscious decision, particularly in view of judgment passed by this Court in CWP No.8513 of 2012 (O&M), titled as ***“Dr. Kapoor Chand Goyal v. State of Punjab and others”***, decided on 15.07.2016, within a period of three months from the date of receipt of certified copy of this order. In case, the petitioner still feels aggrieved of the order passed by the above said authority, he shall be at liberty to approach this Court.

August 22, 2017
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(JASPAL SINGH)
JUDGE

Whether speaking/reasoned ***Yes***

Whether reportable ***Yes/No***