

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP No. 19642 of 2017
Date of decision: 31.08.2017

Ram Mehar Singh

....Petitioner(s)

Versus

State of Haryana and others

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE G.S.SANDHAWALIA

Present: Mr. Sukhdeep Parmar, Advocate,
for the petitioner.

G.S.SANDHAWALIA, J. (Oral)

The petitioner seeks a writ in the nature of mandamus directing the respondents to release the arrears of pay and other benefits to the petitioner from the date of his regularization i.e. 01.04.2011 as was released to similarly situated persons vide order dated 04.08.2014 (Annexure P-5).

It is the case of the petitioner that he was a beneficiary of a regularization order dated 30.11.2012 (Annexure P-3) which was w.e.f. 01.04.2011 passed by the District Education Officer, Panipat. In similar circumstances, the benefit was only given notionally to other persons vide order dated 28.02.2014 (Annexure P-4) and the same principle is being applied to the petitioner also. However, counsel points out that similarly situated employees had approached this Court in ***CWP No. 7548 of 2014, Surender and others vs. State of Haryana and others*** decided on 10.11.2014 for quashing the denial and getting the financial benefits from 01.04.2011 and which was granted vide order dated 04.08.2014 (Annexure P-5). It is the case of the petitioner that he has also served demand notice dated 18.05.2017 (Annexure P-6) upon the respondents seeking the similar

benefits which is yet to be decided. Counsel further submits that he would be satisfied if a direction is issued to the respondents to decide the said legal notice within a fixed time frame.

Notice of motion.

Ms. Shruti Jain Goyal, AAG, Haryana accepts notice. Copy of the writ petition has been supplied to her. Keeping in view the fact that the petitioner only is seeking a decision on his demand notice dated 18.05.2017 (Annexure P-6), this Court does not feel it necessary for the respondents to file reply as it would only further delay the matter and no useful purpose would be served at this stage.

Without commenting on the merits of the case or the entitlement of the petitioners for the abovesaid relief and keeping in view the fact that the matter is still pending consideration, the present writ petition is disposed of with direction to respondent no. 2 to take a decision on the said legal notice dated 18.05.2017 (Annexure P-6) within a period of 3 months from the date of receipt of certified copy of the order. Needless to say if the benefit is to be declined, a reasoned order be passed and the same be conveyed to the petitioners.

31.08.2017
shivani

(G.S. SANDHAWALIA)
JUDGE

Whether reasoned/speaking

Yes/No

Whether reportable

Yes/No