

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

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CWP No.21097 of 2017

Date of decision: 18.09.2017

Jai Naraian Singh & others

....Petitioners

Versus

Chief Engineer, UHBVN & others

...Respondents

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

Present: Mr.Lekh Raj Nandal, Advocate, for the petitioners.

G.S. SANDHAWALIA, J. (Oral)

Present writ petition has been filed under Article 226 of the Constitution of India, for issuance of a writ in the nature of mandamus, directing the respondents to grant 1st, 2nd and 3rd ACP scale to the petitioners from the due dates and decide the legal notice submitted by them.

Counsel, at the outset, restricts his prayer only for the payment of arrears as the entitlement, as such, has already been held out by the respondents. Reference is made to the orders dated 21.07.2015 (Annexure P-3), to show that in case of Jai Naraian Singh, he was held entitled from 01.07.2007 and similarly, for the 2nd ACP, w.e.f. 01.04.2014 (Annexure P-4). Regarding the other petitioners, reference is made to the orders dated 16.11.2015 (Annexure P-6) whereby the benefit of the 1st ACP was granted from the dates mentioned in the said order and similarly, the 2nd ACP was granted on 31.08.2015 also w.e.f. 01.04.2014.

It is, accordingly, submitted that the petitioners have not been paid the arrears and legal notice dated 20.09.2016 (Annexure P-7) has already been moved to this effect. Counsel, accordingly, submits that the petitioners would be satisfied if a direction is issued to decide the same, within a fixed time-frame.

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Keeping in view the fact that the decision making is still pending, this Court does not feel it necessary to call upon the respondents to file reply as it would only delay the matter.

Accordingly, without commenting upon the merits of the case, the present writ petition is disposed of, with a direction to respondent No.1 to decide the legal notice dated 20.09.2016 (Annexure P-7), within a period of 2 months from the receipt of a certified copy of this order. In case an adverse order is to be passed, same should contain reasons and be communicated to the petitioners.

18.09.2017
Sailesh

(G.S. SANDHAWALIA)
JUDGE

Whether speaking/reasoned: *Yes/No*

Whether Reportable: *Yes/No*