

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No. 25301 OF 2017
DECIDED ON: NOVEMBER 07, 2017

HAWA SINGHPETITIONER..

VERSUS

STATE OF HARYANA AND ORS.RESPONDENTS..

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. P.K. Sachdev, 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 of certiorari quashing order (Annexure P-3) whereby the period of qualifying service of the petitioner has been reduced/cut down from 38 years 1 month and 15 days to 20 years, 3 months and 12 days in a very drastical and arbitrary manner without following the proper procedure and without assigning/conveying any reason or the ground and a writ of mandamus, directing the respondents to treat and count/add the said non-qualifying period as qualifying period of service and also to make the payments of arrears of such non qualifying period and the arrears due to the petitioner pursuance to order dated 24.08.2015 (P-1) with 12% interest p.a. on delayed payment from the due date till its realization.

2. At the very outset of the arguments, learned counsel for the

petitioner submits that though application/representation dated 31.07.2017 (Annexure P-2) was moved to the respondents but till date no conscious decision has been taken. He submits that petitioner feels satisfied in case direction is issued to respondent(s) to decide the aforesaid application/representation, within a stipulated period.

3. Instant petition is disposed of with a direction to respondent(s) to look into the grievances unfolded by the petitioner in his application/representation dated 31.07.2017 (Annexure P-2) and to decide the same, 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 claimed, to release/disburse the same within a period of next 1 month.

4. The matter with regard to grant of interest on delayed payment shall also be considered in view of the observations made by Full Bench of this Court in case captioned as ***“A.S. Randhawa vs. State of Punjab, 1997 (3) SCT 468.***

5. However, if the petitioner still feels aggrieved against the order passed by the concerned authority, he shall be at liberty to approach this Court.

NOVEMBER 07, 2017
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(JASPAL SINGH)
JUDGE

Whether speaking/reasoned ***Yes***

Whether reportable ***Yes/No***