

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

CWP No. 7398 of 2014 (O&M)
Date of decision : April 18, 2017

Surender Kumar,

..... Petitioner

v.

State of Haryana and others,

..... Respondents

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. Karan Bhardwaj, Advocate
for the petitioner.

Mr. Harish Rathee, Sr. DAG Haryana
for respondents No.1 and 2.

Mr. Anurag Goyal, Advocate
for respondent No.3.

Ajay Tewari, J (Oral)

The petitioner has challenged the action of the respondents in withdrawing the benefit of one increment from him and making recoveries from his retiral dues without even giving him any notice and without passing any order.

Respondent No.3-University has not denied these facts but has taken the stand that this action had to be taken in view of the government instructions, Annexures P-2 and R-3/1.

Counsel for the petitioner has made a fair offer. He states that he would be satisfied if a post-decisional hearing is given to the petitioner.

The petitioner will file a detailed representation within a month from the

receipt of a certified copy of this order but respondent No.3 should be directed to decide the same within any reasonable time frame and some mechanism be fixed to ensure that time frame is adhered to.

Counsel for respondent No.3 has also accepted this suggestion.

Consequently, this writ petition is disposed of with a direction that in case the petitioner files a representation within one month from the receipt of a certified copy of this order, respondent No.3 shall decide the same by passing a speaking order within three months thereafter, and to ensure that respondent No.3 adheres to the time frame, it is directed that in case no order is passed within the stipulated period, reduction in the retiral dues of the petitioner will come to an end and the petitioner will continue to draw his retiral benefits at the higher rate till such time an order is passed by respondent No.3.

Since the main case has been decided, the pending C.Ms, if any, also stand disposed of.

April 18, 2017
'kk'

(AJAY TEWARI)
JUDGE

Whether speaking/reasoned:
Whether Reportable:

Yes/No
Yes/No