

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

Sr. No.108

Civil Writ Petition No.27688 of 2017
DECIDED ON: December 06, 2017

MOHAN LAL MIGLANI

..PETITIONER

VERSUS

STATE OF HARYANA

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Dharmender Singh Rawat, Advocate,
for the petitioner.

JASPAL SINGH, J. (ORAL)

Through the instant civil writ petition, preferred under Article 226 of the Constitution of India, petitioner has sought the issuance of a writ in the nature of Mandamus directing the respondent to grant the 3rd ACP Scale of Rs.37400-67000 (PB-4) + Grade Pay Rs.8700/- (on account of completing 17 years of regular satisfactory service after entry as SDE and limited to 20% of total cadre posts in the categories of SDEs, XENs and SEs) w.e.f. 02.11.2012 along with all consequential benefits including grant of 12% interest per annum on arrears of ACP Scale particularly keeping in view the fact that his junior i.e. Sh. Sohan Singh has been granted 6% interest AND further directing the respondent to grant 12% interest per

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annum to the petitioner on late payment of arrears of 2nd ACP Scale of Rs.15600-39100 (PB-3) + Grade Pay Rs.7600/- (on account of completing 11 years of regular satisfactory service after entry as SDE and limited to 25% of total cadre posts in the categories of SDEs and above) w.e.f. 02.11.2006 as the same has been released to the petitioner by the respondent vide order dated 13.07.2017 (P-7) i.e. after delay of more than 10 years.

2. Learned counsel for the petitioner contends that though a legal notice was made to the respondent on August 10, 2017 (P-9) but till date no action has been taken so far. However, learned counsel for the petitioner further submits that he feels satisfied in case a direction is issued to respondent to decide the aforesaid legal notice within some specified period.

3. Without expressing any opinion on the merits of the case, instant petition is disposed of with a direction to respondent to look into the grievances unfolded by the petitioner in his legal notice dated August 10, 2017 (P-9) and to take a conscious decision by passing a speaking order, within a period of four months from the date of receipt of a certified copy of this order.

4. However, if petitioner still feels aggrieved by any of the orders passed by the aforesaid authority, he shall be at liberty to approach this Court.

December 06, 2017
Ankur

(JASPAL SINGH)
JUDGE

Whether speaking/reasoned	Yes
Whether reportable	Yes/No