

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

112

CWP-5323-2017 (O&M)

Date of decision: 16.03.2017

Budh Dev Yadav

....Petitioner

Versus

State of Haryana and others

.... Respondents

CORAM: Hon'ble Mr. Justice P.B. Bajanthri

Present: Mr. Jatinder Nagpal, Advocate for
Mr. Dhiraj Chawla, Advocate for the petitioner.

Mr. Hitesh Pandit, AAG, Haryana.

P.B. Bajanthri, J. (Oral)

Notice of motion.

On the asking of the court Mr. Hitesh Pandit, AAG, Haryana,
who is present in the court accepts notice on behalf of the respondents.

Learned counsel for the petitioner is directed to furnish 3 sets
of paper book to learned State counsel during the course of the day.

In the present petition, the petitioner has questioned the validity
of Annexure P8 dated 27.09.2016. Grievance of the petitioner is he is
entitled for arrears of salary for a period of 1 year, 1 month and 20 days
having regard to the service particulars of the petitioner that he was
appointed and dispensation of his services. In this regard, petitioner had
submitted a detailed representation on 29.03.2016. While considering the
same respondent no.1 has not taken note of certain factual aspects which are
stated in the representation. Merely in one sentence petitioner's

representation has been rejected. Thus, it is crystal clear that Annexure P8 is not a speaking order. Accordingly, Annexure P8 dated 27.09.2016 is set aside and the matter is remanded to respondent no. 1 for fresh consideration of representation dated 29.03.2016 by passing a speaking order. Such exercise shall be completed by respondent no. 1 within a period of 3 months from today.

Accordingly, CWP stands disposed of.

16.03.2017
pooja saini

(P.B.BAJANTHRI)
JUDGE

Whether speaking/reasons	Yes/No
Whether Reportable:	Yes/No