

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No. 5710 of 2017 (O/M)
Date of decision : 20.3.2017

Vikas Mittal and another

..... Petitioner (s)

Versus

The Punjab State Co-operative Milk Producers Federation Limited and
others

..... Respondent (s)

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. R.K. Girdhar, Advocate, for the petitioners.

1. Whether the Reporters of local newspaper may be allowed to see the judgment ?
2. To be referred to the Reporter or not.
3. Whether the judgment should be reported in the digest ?

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KULDIP SINGH J. (ORAL)

The learned counsel for the petitioners contends that Shri B.K. Mittal, the father of the petitioners, expired on 26.11.2011. While late Shri B.K. Mittal, the father of the petitioners, was working as Accounts Clerk, he was chargesheeted on 13.3.2006. In the year 2007, two orders endorsed on 17.10.2007 and 18.10.2007 (Annexures-P-1 and P-2 respectively) were passed, vide which recovery of Rs. 1,00,000/- was ordered and he was also compulsorily retired from service alongwith a token recovery of Rs. 50,000/- from his dues. The said orders were set aside, vide order dated 11.7.2014 (Annexure-P-4). The pay of late Shri B.K. Mittal was revised with effect from 1.1.2006, vide order dated 28.1.2014 (Annexure-P-5). However, Rs. 80,000/- on account of balance of retiral benefits and Rs. 2,86,699/- on account of recoveries made from him and all the arrears of revised pay with effect from 1.1.2006 alongwith interest has not been paid. The petitioners have already served a legal

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notice dated 1.2.2017 (Annexure-P-6) upon respondents. The short prayer of the learned counsel for the petitioners at this stage is to direct respondents to decide the legal notice dated 1.2.2017 (Annexure-P-6), in a time bound manner, by passing a speaking order.

In these circumstances, without issuing notice to the opposite party, the present writ petition is disposed of with a direction to respondent No. 1 to consider the legal notice of the petitioners dated 1.2.2017 (Annexure-P-6) and decide the same within two months from the date of receipt of certified copy of this order. In case, it is found that the petitioners are entitled to any arrears, the same shall be paid to them alongwith interest, as per the Government instructions.

(KULDIP SINGH)
JUDGE

20.3.2017
sjks

Whether speaking / reasoned : Yes

Whether Reportable : No