

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

Sr. No.127

Civil Writ Petition No.11526 of 2018
DECIDED ON: May 08, 2018

MANGE RAM SHARMA AND OTHERS

..PETITIONERS

VERSUS

**CHIEF MANAGING DIRECTOR, HARYANA VIDYUT PARSARAN
NIGAM LIMITED AND OTHERS**

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Sandeep Thakan, Advocate,
for the petitioners.

JASPAL SINGH, J. (ORAL)

Through the instant civil writ petition, preferred under Article 226 of the Constitution of India, petitioners have sought the issuance of a writ in the nature of Mandamus directing the respondents to re-fix their pay in view of the judgments passed by this Court in CWP Nos.5563-A/1989 and 16084/1997 and upheld by the Hon'ble Apex Court vide order dated 08.12.2015 (P-6) WITH FURTHER to restore the deductions made from the payment of additional Dearness allowance w.e.f. 01.05.1973 onward along with arrears AND Certiorari to quash the deduction/cut ordered vide offering parts of paragraph 3 & 4 of Annexure P-1 in respect of ad hoc relief allegedly paid in excess.

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2. At the very outset, learned counsel for the petitioners contends that though a legal notice dated 09.02.2018 (P-9) was made to the respondents but till date neither any reply to the said legal notice has been received nor any final order has been passed by the concerned Department. He further submits that they feel satisfied in case a direction is issued to respondents to decide the aforesaid legal notice (P-9) in view of judgments referred in para 1 of this order, within some specified period.

3. Without expressing any opinion on the merits of the case, instant petition is disposed of with a direction to respondents particularly respondent No.1 to look into the grievances unfolded by the petitioners in the legal notice dated 09.02.2018 (P-9) and to take a conscious decision in accordance with law, rules and regulations, particularly in view of the judgments referred in para 1 of this order, within a period of four months from the date of receipt of a certified copy of this order.

4. However, if petitioners still feel aggrieved by any of the orders passed by the aforesaid authority, they shall be at liberty to approach this Court.

May 08, 2018

Ankur

**(JASPAL SINGH)
JUDGE**

**Whether speaking/reasoned
Whether reportable**

**Yes
Yes/No**