

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

Sr. No.109

Civil Writ Petition No.15132 of 2018 (O&M)
DECIDED ON: August 14, 2018

YUDHISHTER YADAV

..PETITIONER

VERSUS

STATE OF HARYANA AND ANOTHER

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Suresh Yadav, Advocate,
Mr. Piyush Kant Jain, Advocate and
Mr. Mayank Jain, Advocate,
for the petitioner.

JASPAL SINGH, J. (ORAL)

CM No.10664-CWP of 2018

Application is allowed as prayed for and documents (P-10 & P-11) are taken on record subject to all just exceptions and be annexed at appropriate place.

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Through the instant civil writ petition, preferred under Articles 226/227 of the Constitution of India, petitioner has sought following issues:

(i) directing respondents to make payment of gratuity, commutation and other retirement benefits with interest @ 18% p.a. to him who has superannuated as Superintendent Jail on 30.09.2007;

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- (ii) to decide representations submitted on 07.12.1988 against adverse remarks in annual confidential reports for the year 1987-1988 conveyed vide letter dated 17.10.1988 and representation dated 20.03.2006 submitted against adverse remarks recorded in annual confidential report for the year 2005-2006 conveyed vide letter dated 10.02.2006;
- (iii) refix pay and pension of petitioner after granting consequential promotions or ACPs from due dates;
- (iv) make payment of arrears of revised pay and pension in time bound manner with interest from due date till date of payment; and
- (v) to compensate the petitioner for harassment and mental agony caused by withholding the payment of retirement benefits for more than a decade and delaying and denying promotions by not timely deciding and keeping pending against unjustified and un-sustainable remarks in annual confidential reports; and

2. At the very outset, learned counsel for the petitioner submits that he feels satisfied in case a direction is issued to respondents to decide the representations dated 10.06.2017 and 01.12.2018 (P-8 & P-9 respectively) with regard to ACRs, 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 to deal with representations dated 10.06.2017 and 01.12.2018 (P-8 & P-9 respectively) with regard to ACRs and to take a conscious decision by passing a speaking

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order, within a period of three 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 have recourse to other remedies available under law as well as to approach this Court.

August 14, 2018
Ankur

(JASPAL SINGH)
JUDGE

Whether speaking/reasoned	Yes
Whether reportable	Yes/No