

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

Sr. No.122

Civil Writ Petition No.17782 of 2018
DECIDED ON: July 23, 2018

DHARAMBIR JAIN AND OTHERS

..PETITIONERS

VERSUS

STATE OF HARYANA AND OTHERS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: None for the petitioners.

JASPAL SINGH, J. (ORAL)

By virtue of the instant civil writ petition, preferred under Articles 226/227 of the Constitution of India, petitioners have sought the issuance of a writ in the nature of Mandamus directing the respondents to grant one additional increment of higher responsibility under Rule 4.4(2) (c) (i) as per Vol. 1, Part 1 of Punjab Civil Service Rules and lieu of judgment rendered in CWP No.3922 of 2011 vide order dated 03.10.2016 and in view of letter dated 15.03.2018 issued by Finance Department, Haryana on getting promotion on the post of SDE from the date of promotion and re-fix as well as revise their pay WITH FURTHER to release the arrear of difference between due and drawn to the petitioners along with interest @ 18% and to decide the legal notice dated 25.03.2018 (P-4) in view of aforesaid judgment and letters.

2. File perused.

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3. A close scrutiny of the file transpires that for claiming the relief sought through the instant petition, petitioner has already served legal notice dated 25.03.2018 (P-3) upon the respondents and as per averments made in the petition, neither respondents have responded to the aforesaid legal notice (P-3) nor taken any conscious decision. So in the aforesaid facts and circumstances, this Court is of the considered view that instant petition can be conveniently disposed of by giving a direction to the respondents to take a conscious decision within some stipulated period.

4. Accordingly, without expressing anything on merits but considering the inaction on the parts of the respondents, instant petition is disposed of with a direction to respondents to consider the grievances unfolded by the petitioner in the legal notice dated 25.03.2018 (P-3) and to take a conscious decision by passing a speaking order in view of judgment and letters referred to above in para no.1 of this order, within a period of three months from the date of receipt of a certified copy of this order.

5. However, if petitioners still feel aggrieved by any of the orders passed by the aforesaid authority, they shall be at liberty to have recourse to the remedies available under law as well as to approach this Court.

July 23, 2018

Ankur

**(JASPAL SINGH)
JUDGE**

**Whether speaking/reasoned
Whether reportable**

**Yes
Yes/No**