

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

Sr. No.125

Civil Writ Petition No.19715 of 2018
DECIDED ON: August 09, 2018

GOBIND SINGH AND OTHERS

..PETITIONERS

VERSUS

STATE OF HARYANA AND OTHERS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Vikram Sheoran, 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 issuance of a writ in the nature of Mandamus directing the respondents to decide the legal notice dated 10.07.2018 (P-7) in view of judgments passed by this Court in CWP Nos.16084 of 1997, 275 of 1998 and 4518 of 2000, which were attained final order dated 11.08.2003 (P-4) and upheld by the Hon'ble Apex Court vide order dated 08.12.2015 (P-5) WITH FURTHER direction to restore the deductions made from the payment of additional Dearness Allowance w.e.f. 01.05.1973 onwards along with arrears as well as to quash the deduction/cut ordered vide offering parts of paragraph 3 & 4 of Annexure P-3 in respect of ad hoc relief allegedly paid in excess and to strike down the offending part of definition of term 'existing emoluments' with regard to 'minus excess payment of ad hoc relief as contained in Rule 3(d)(ii) of the Rules.

Civil Writ Petition No.19715 of 2018

2. At the very outset of the arguments, learned counsel for the petitioners submits that petitioners feel satisfied in case a direction is issued to respondents No.2 & 3 to decide the above said legal notice (P-7) in view of the judgments referred in para no.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 No.2 & 3 to consider the grievances unfolded by the petitioners in the legal notice dated 10.07.2018 (P-7) and to take a conscious decision by passing a speaking order particularly in view of the judgments referred in para no.1 of this order, which as per the version of learned counsel for the petitioners have attained finality, within a period of three 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 have recourse to the remedies available under law as well as to approach this Court.

August 09, 2018

Ankur

**(JASPAL SINGH)
JUDGE**

**Whether speaking/reasoned
Whether reportable**

**Yes
Yes/No**