

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

Sr. No.115

Civil Writ Petition No.20139 of 2018
DECIDED ON: August 14, 2018

VINOD KUMAR MAHAJAN AND OTHERS

..PETITIONERS

VERSUS

**UTTAR HARYANA BIJLI VITRAN NIGAM LIMITED AND
OTHERS**

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Umesh Narang, Advocate, 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 issuance of a writ especially in the nature of Mandamus directing the respondents to restore the deduction made from the payment of additional Dearness Allowance/adhoc relief and refix their pay/pension in the revised scale as introduced w.e.f. 01.05.1996, after restoration of deduction/cut of alleged excess payment of adhoc relief and after giving fresh options to them and further to pay them arrears of pay/pension accruing due to restoration of cut/deduction along with interest @ 12% from the date due til payment in view of judgment dated 11.08.2003 (P-4) passed in CWP No.4518 of 2000 and Hon'ble Apex Court judgment dated 08.12.2015 (P-5) passed in Civi Appeal No.8661 of 2009.

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2. Learned counsel for the petitioners contends that though a legal notice was made to the respondents on 06.04.2018 (P-7) but till date no conscious decision has been taken thereon. He further submits that they feel satisfied in case a direction is issued to respondents No.1 & 2 to decide the above said legal notice (P-7), in a time bound manner.

3. Instant petition is disposed of with a direction to respondents No.1 & 2 to look into the grievances unfolded by the petitioners in the legal notice dated 06.04.2018 (P-7) and to take conscious decision by passing a speaking order considering all the facts narrated in the aforesaid legal notice, 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 have recourse to the remedies available under law as well as to approach this Court.

August 14, 2018

Ankur

**(JASPAL SINGH)
JUDGE**

**Whether speaking/reasoned
Whether reportable**

**Yes
Yes/No**