

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Sr. No.123

Civil Writ Petition No.20487 of 2018
DECIDED ON: August 17, 2018

LABH SINGH

..PETITIONER

VERSUS

STATE OF PUNJAB AND ANOTHER

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: None for the petitioner.

JASPAL SINGH, J. (ORAL)

By virtue of the instant civil writ petition, preferred under Articles 226/227 of the Constitution of India, petitioner has sought the issuance of a writ in the nature of Mandamus directing the respondents to grant the benefit of previous service rendered by him in the Govt. Aided School, towards fixation of his pay on his joining in the Govt. School in terms of provisions of Rule 4.4 of Punjab Civil Service Rules and Government Instructions dated 15.11.2000 (P-1) and in terms of law laid down in CWP No.4629 of 2012 captioned as ***Sunil Kumar Sharma & ors. vs. State of Punjab & ors.*** decided on 19.02.2018 (P-3) and also count the said service towards qualifying service for pensionary benefits along with all consequential benefits.

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 representation dated 30.05.2018 (P-4) upon the respondent No.2 and as per averments made in the petition, neither respondent No.2 has responded to the aforesaid representation (P-4) 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 in a time bound manner.

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 representation dated 30.05.2018 (P-4) and take conscious decision by passing a speaking order in terms of CWP No.4629 of 2012 captioned as ***Sunil Kumar Sharma & ors. vs. State of Punjab & ors.*** decided on 19.02.2018 (P-3), within a period of three months from the date of receipt of a certified copy of this order.

5. 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 the remedies available under law as well as to approach this Court.

August 17, 2018

Ankur

**(JASPAL SINGH)
JUDGE**

**Whether speaking/reasoned
Whether reportable**

**Yes
Yes/No**