

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No.21106 OF 2018
DECIDED ON: AUGUST 28, 2018

ASHOK KUMAR GAIND AND ORS.

.....PETITIONERS..

VERSUS

HARYANA VIDYUT PRASARAN NIGAM LTD,
PANCHKULA AND ORS.

.....RESPONDENTS..

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Umesh Narang, Advocate,
for the petitioners.

JASPAL SINGH, J

Through instant petition preferred under Article 226 of the Constitution of India, petitioners have sought issuance of a writ especially in the nature of mandamus directing the respondents to restore deduction made from the payment of additional D.A./ad hoc relief and re-fix the pay/pension of the petitioners in revised scale as introduced w.e.f. 01.05.1996 after restoration of deduction/cut of alleged excess payment of ad hoc relief and after giving fresh option to them. And further to pay the arrears of pay/pension accruing due to restoration of cut/deduction along with interest @ 12% p.a. in view of judgment dated 11.08.2003 passed in CWP No.4518 of 2000 and judgment of Hon'ble Supreme Court passed in Civil Appeal No.8661 of 2009.

2. At the very outset, learned counsel for the petitioners submits that though legal notice dated 07.04.2018 (P-7) was duly served upon the

respondents but till date neither any response has been received nor any conscious decision has been taken. He further submits that petitioners feel satisfied in case direction is issued to respondent No.4 to take conscious decision on legal notice (P-7), within a stipulated period.

3. Without expressing any opinion on the merits of the case, instant petition is disposed of with the direction to respondent No.1-Managing Director, HVPNL, Sector 6, Panchkula or any other officer competent to deal with the matter in controversy and to take a final decision on legal notice (P-7), in accordance with law, rules and instructions as well as in the light of judgments referred to above in para No.1 of this order, within a period of four months from the date of receipt of certified copy of this order.

4. However, if the petitioners still feel aggrieved against any of the order passed by the concerned authority, they shall be at liberty to approach this Court as well as to have recourse to the other remedies available under law.

AUGUST 28, 2018
sonika

(JASPAL SINGH)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes</i>
<i>Whether reportable</i>	<i>Yes/No</i>