

CWP No. 22614 of 2018

DECIDED ON: SEPTEMBER 06, 2018

MANI RAM AND ORS.

.....PETITIONERS

VERSUS

STATE OF HARYANA AND ORS

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. B.S. Mittal, Advocate
for the petitioners.

JASPAL SINGH, J (ORAL)

Through the instant civil writ petition, preferred under Articles 226 of the Constitution of India, petitioners have sought the issuance of a writ in the nature of Mandamus directing the respondents to re-fix their pay in terms of judgment dated 23.04.1990 passed in CWP No.5563-A of 1989 captioned as *Nitya Nand vs. State of Haryana & ors.* (P-4) and another judgment dated 27.07.2000 passed in CWP No.16084 of 1997 titled as *Dharm Pal Singh vs. State of Haryana* (P-5) as well as judgment dated 08.12.2015 passed by the Hon'ble Apex Court in SLP No.8661 of 2009 (P-6) WITH FURTHER to re-fix their pay by restoring the deductions made from payment of Additional Dearness Allowances w.e.f. 01.04.1979 onwards in view of above mentioned judgments and release the arrears along with interest @ 18% p.a.

2. Learned counsel for the petitioners contend that though legal notice dated 25.07.2018 (P-9) was duly served upon the respondents but till date no conscious decision has been taken by the authorities. He further submits that petitioners feel satisfied in case a direction is issued to respondent No.2 to decide the aforesaid legal notice (P-9), within some specified period.
3. Instant petition is disposed of with a direction to respondent No.2 – Managing Director, Dakshin Haryana Bijli Vitran Nigam, Hisar to consider the grievances unfolded by the petitioners in the legal notice dated 25.07.2018 (P-9) and to take a conscious decision by passing a speaking order in the light of the judgments 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.
4. In case, petitioners still feel aggrieved by any of the order(s) passed by the aforesaid authority, they shall be at liberty to have recourse to the remedies available under law and/or to approach this Court.

SEPTEMBER 06, 2018
sham

(JASPAL SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No