

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

Sr. No.139

Civil Writ Petition No.23568 of 2018
DECIDED ON: September 17, 2018

SAMANDER SINGH GAUR AND OTHERS

..PETITIONERS

VERSUS

STATE OF HARYANA AND OTHERS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. S.K. Malik, Advocate,
for the petitioners.

JASPAL SINGH, J. (ORAL)

Through the instant civil writ petition, preferred under Articles 226/227 of the Constitution of India, petitioners have sought an issuance of a writ in the nature of mandamus directing the respondents to grant the pay scale meant for the post of Sub-Divisional Engineers to them from the dates the petitioners were given Current Duty Charge (CDC) against the vacant sanctioned posts prior to their regular promotion with all consequential benefits and further to release the arrears of difference of due and drawn of salary along with interest @ 18% as well as to consider and decide legal notice dated 16.05.2018 (P-5) in lieu of judgment dated 22.11.2017 passed in CWP No.9083 of 2015 captioned as *Shri Bhagwan Sharma & ors. vs. State of Haryana & ors.*(P-4).

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2. Learned counsel for the petitioners contends that though a legal notice was made to the respondents on 16.05.2018 (P-5) but till date neither any reply to the said legal notice has been received nor any final order has been passed by the respondents. He further submits that they feel satisfied in case a direction is issued to respondents to decide the above said legal notice (P-5), in a time bound manner.

3. Instant petition is disposed of with a direction to respondents to look into the grievances unfolded by the petitioners in the legal notice dated 16.05.2018 (P-5) and to take a conscious decision by passing a speaking order in the light of the judgment dated 22.11.2017 passed in CWP No.9083 of 2015 captioned as ***Shri Bhagwan Sharma & ors. vs. State of Haryana & ors.***(P-4), which as per the version of the learned counsel for the petitioners has 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 other remedies available under law as well as to approach this Court.

September 17, 2018

Ankur

**(JASPAL SINGH)
JUDGE**

**Whether speaking/reasoned
Whether reportable**

**Yes
Yes/No**