

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

Sr. No.122

Civil Writ Petition No.23818 of 2018
DECIDED ON: September 18, 2018

DILBAGH RAI AND ANOTHER

..PETITIONERS

VERSUS

STATE OF HARYANA AND ANOTHER

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Vikram Sheoran, Advocate,
for the petitioners.

JASPAL SINGH, J. (ORAL)

By virtue of instant petition, preferred under Article 226 of the Constitution of India, petitioners have sought a writ in the nature of mandamus directing the respondents to decide the legal notice dated 12.08.2018 (P-7) in view of the judgments passed by this Court in CWP No. 16084 of 1997, CWP No. 275 of 1998 and CWP No. 4518 of 2000 with further direction to respondents to restore the deductions made from the payment of additional dearness allowance w.e.f. 01.05.1973 onwards along-with arrears AND to quash the deduction/cut ordered vide offering parts of paragraph 3 & 4 of Annexure P-3 in respect of ad hoc relief allegedly paid in excess and to strike down the offending part of the definition of the term 'existing emoluments' with regard to 'minus excess payment of ad hoc relief.

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2. At the very outset of arguments, learned counsel for the petitioners submits that they feel satisfied in case a direction is issued to respondents to decide the legal notice dated 12.08.2018 (P-7) in view of judgments referred to above in para 1 of this order, within some time bound manner.

3. Without expressing any opinion on the merits of the case, instant petition is disposed of with a direction to respondents to look into the grievances unfolded by the petitioners in the legal notice dated 12.08.2018 (P-7) and to take a conscious decision in accordance with law, rules and regulations, particularly in view of the judgments referred to above in para 1 of this order, which as per the version of learned counsel for the petitioners have attained finality, within a period of four months from the date of receipt of a certified copy of this order.

4. However, in case petitioners still feel aggrieved by any order of the afore-said authorities, they shall be at liberty to have recourse to the other remedies available under law as well as to approach this Court.

September 18, 2018

Ankur

**(JASPAL SINGH)
JUDGE**

Whether speaking/reasoned

Yes

Whether reportable

Yes/No