

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

Sr. No.131

Civil Writ Petition No.24693 of 2018
DECIDED ON: September 26, 2018

SURENDER MOHAN SHARMA

..PETITIONER

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 in the nature of certiorari 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 as well as to strike down the offending part of the definition of 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 in para 1 of this order, within some specified period.

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 in para 1 of this order, which as per the version of learned counsel for the petitioner have 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 26, 2018

Ankur

**(JASPAL SINGH)
JUDGE**

**Whether speaking/reasoned
Whether reportable**

**Yes
Yes/No**