

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No.25812 OF 2018
DECIDED ON: OCTOBER 08, 2018

VINAY KUMAR AND ORS.

.....PETITIONERS

VERSUS

STATE OF HARYANA AND ORS.

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Ravi Verma, Advocate,
for the petitioners.

JASPAL SINGH, J.

By virtue of the instant petition preferred under Article 226/227 of the Constitution of India, petitioners have sought issuance of a writ in the nature of mandamus, directing the respondents to extend the benefit of re-fixation of pay after restoring the benefits of adhoc relief and DA cut as on 01.04.1979 in terms of judgment dated 27.07.2000 passed in CWP No.16084 of 1997 (Annexure P-8) as well as judgment dated 23.04.1990 (P- 6) passed in CWP-5563-A of 1989 against which SLP's filed by respondent-State of Haryana has already dismissed on 07.12.1995 and 08.12.2015. Further the finance department has even issued letters on 15.03.2017, 16.03.2017, 28.03.2017 & 25.01.2018 (P-10 to P-13) for implementation of judgment dated 08.12.2015 passed by Hon'ble Apex Court qua the petitioners of those matters and also grant all consequential benefits to them.

2. Learned counsel for the petitioners contends that similar relief as has been sought by the petitioner through the instant petition, has already been accorded to the similarly situated persons. Thus, he further submits that petitioners feel satisfied in case a direction is issued to respondents to decide the legal notice dated 12.02.2018 (P-14) in the light of the judgments referred to above, within some stipulated period.

3. Without expressing any opinion on the merits of the case, instant petition is disposed of with a direction to respondents to consider the grievances unfolded by the petitioners in the legal notice dated 12.02.2018 (P-14) and to take a conscious decision by passing a speaking order as per 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. In case, 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.

OCTOBER 08, 2018
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(JASPAL SINGH)
JUDGE

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