

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

**CWP No.25957 OF 2018
DECIDED ON: OCTOBER 08, 2018**

DHANI RAM AND ORS.

.....PETITIONERS

VERSUS

**CHIEF MANAGING DIRECTOR-CHAIRMAN,RESPONDENTS
HARYANA POWER UTILITY, PANCHKULA
AND ORS.**

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Sandeep Thakan, Advocate,
for the petitioners.

JASPAL SINGH, J.

Through instant petition preferred under Article 226 of the Constitution of India, petitioners have sought issuance of a writ in the nature of mandamus directing the respondents to re-fix the pay in view of judgments passed by this Court in CWP No.5563-A of 1989 and CWP No.16084 of 1997 and upheld by the Hon'ble Supreme Court vide order dated 08.12.2015 (P-6). And further to restore the deductions made from the payment of additional dearness allowances w.e.f. 01.05.1973 onwards along with arrears. As well as a writ of certiorari to quash the deduction/cut order (P-1).

2. At the very outset of the arguments, learned counsel for the petitioners submits that though petitioners served legal notice dated 12.07.2018 (P-9) upon the respondents but till date neither any response has been received nor any conscious decision has been taken thereon. He further submits that

petitioners feel satisfied in case direction is issued to respondent No.1 to decide legal notice (P-9), within a stipulated period.

3. Without expressing any opinion on the merits of the case, instant petition is disposed of with a direction to respondent No.1-Chief Managing Director-Chairman, Haryana Power Utility (HPU), Sector 6, Panchkula or any other officer competent to deal with the matter in controversy, to consider the case unfolded by the petitioners in legal notice (P-9) and to take a conscious decision within a period of three months from the date of receipt of certified copy of this order.

4. However, if petitioners still feel aggrieved by any order of the aforesaid authority, they shall be at liberty to approach this Court or to have recourse to the other remedies available under law.

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>