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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-6823-2016

Date of decision-08.05.2018

Naresh Chand

...Petitioner

Vs.

State of Punjab and others

...Respondents

CORAM:- HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Sunny Singla, Advocate for the petitioner.

Ms. Sunint Kaur, AAG, Punjab.

Respondent No.5 proceeded *ex parte*
vide order dated 15.09.2016.

JITENDRA CHAUHAN, J.

This writ petition under Articles 226/227 of the Constitution of India has been filed for the issuance of a writ, in the nature of mandamus directing the respondents to step up the pay of the petitioner at par with his junior w.e.f. 22.05.2012 and further grant all arrears of pay and consequential benefits along with interest @ 18% p.a.

Learned counsel for the petitioner states that on 11.04.2016, notice of motion was issued in the present case, however, till date reply has not been filed on behalf of the State. Further, learned counsel for the petitioner at this stage states that he would be satisfied, if a direction is issued to respondent No.2-Director Public Instructions (SE), Punjab, Punjab School Education Board Building Education Complex, Phase-8, Mohali to

consider and decide the legal notice dated 04.09.2015 (Annexure P-3).

Learned State counsel has no objection to the proposal put-forth by learned counsel for the petitioner.

Heard.

In view of the above, without adverting to the merits of the case, the present petition is disposed of with a direction to respondent No.2-Director Public Instructions (SE), Punjab, Punjab School Education Board Building Education Complex, Phase-8, Mohali to consider and decide the legal notice dated 04.09.2015 (Annexure P-3) within six weeks from the receipt of the certified copy of the order. In case, on consideration, the competent authority reaches to the conclusion that the benefit claimed by the petitioner is admissible to him, in such eventuality, the consequential relief be allowed to him, within a period of six weeks thereafter. However, in case the competent authority feels that the relief claimed by the petitioner is not admissible to him or made out, in that case, a speaking order be passed in the matter.

(JITENDRA CHAUHAN)
JUDGE

08.05.2018

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Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No