

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No.29698 OF 2017
DECIDED ON: MAY 18, 2018

SUNIL MALPOTRA AND ORS.

..PETITIONERS

VERSUS

UNION OF INDIA AND OTHERS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. S.K. Choudhary, Advocate,
for the petitioners.

JASPAL SINGH, J.

Through 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 respondent-department while considering a representation dated 12.04.2017 (P-3) moved to respondents No. 2 and 3 to refix the financial benefits such as salary, pension and retiral benefits and after the fixation of the same to release the same along with interest @ 12%.

2. Learned counsel for the petitioners contends that though representations dated 29.01.2017 and 12.04.2017 (Annexures P-2 and P-3 respectively) were made to the respondents but till date neither any reply to the said representations has been received nor any order has been passed by the respondents.

3. Learned counsel for the petitioners further submits that petitioners

feel satisfied in case direction is issued to respondents to decide their representation(s) within some specified period.

4. Without expressing any opinion on the merits of the case, instant petition is disposed of with a direction to respondents particularly respondent No.2-Flag Officer Commanding in Chief, Headquarters, Western Naval Command, Mumbai to look into the grievances unfolded by the petitioners in their representations and to take a conscious decision by passing a speaking order as per rules and instructions as well as keeping in view the judgment passed by Hon'ble Apex Court in case titled as *“Anuj Kumar Dey v. Union of India, 1997 (1) SCT 412*, within a period of four months from the date of receipt of a certified copy of this order.

5. 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.

May 18, 2018
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(JASPAL SINGH)
JUDGE

Whether speaking/reasoned	Yes
Whether reportable	Yes/No