

CWP No. 4941 of 2018

DECIDED ON: FEBRUARY 28, 2018

ANAND SINGH KADIAN

.....PETITIONER

VERSUS

STATE OF HARYANA AND ANOTHER

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Ajay Shekhawat, Advocate
for the petitioner.

JASPAL SINGH, J (ORAL)

By virtue of instant petition preferred under Articles 226/227 of the Constitution of India, petitioner has sought a writ in the nature of mandamus directing the respondents to step up of pay at par with his junior Sh. Maldev Rangi and Sh. Mohinder Pal the then Deputy District Attorney's w.e.f. July 01, 2008 and all other consequential benefits along-with interest @ 12% per annum with further direction to respondents to consider him for promotion to the post of District Attorney with retrospective date i.e the date on which the post of District Attorney fall vacant with all consequential benefits in view of law laid down by Hon'ble Apex Court in Union of India vs. Hemra Singh Chauhan & others; as claimed in his representation dated October 12, 2017 (P-8).

2. The contention of learned counsel for the petitioner is that petitioner moved representation dated October 12, 2017 (P-8) to the District Attorney,

Rohtak but till date no response has been received. Petitioner was constrained to serve a legal notice dated October 12, 2017 (P-9) upon the respondents, which also did not fetch any reply or response, despite the fact that a period of more than three months has expired. He further submits that he feels satisfied in case a direction is issued to respondents to consider and decide the legal notice dated October 12, 2017 (P-9) within some time bound manner.

3. Accordingly, instant petition is disposed of with a direction to respondents to look into the grievances unfolded by the petitioner in the legal notice (P-9) and to take a conscious decision in accordance with law, rules and regulations within a period of three months from the date of receipt of certified copy of this order.

4. In case the petitioner still feels aggrieved, he shall be at liberty to have recourse to the other remedies available under law including to approach this Court.

February 28, 2018
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(JASPAL SINGH)
JUDGE

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