

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No.5622 OF 2018
DECIDED ON: MARCH 08, 2018

LAL SINGH AND OTHERS

.....PETITIONERS

VERSUS

STATE OF HARYANA AND ANOTHER

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Ravi Verma, 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 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 passed in CWP-5563-A of 1989 against which SLP 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 for implementation of judgment dated 08.12.2015 passed by Hon'ble Apex Court.

2. At the very outset, learned counsel for the petitioners submits that though legal notice dated 28.11.2017 (Annexure P-14) was duly served upon the

respondents but till date no conscious decision has been taken. He further submits that petitioners feel satisfied in case direction is issued to respondent No.2 to decide aforesaid legal notice, within some prescribed period.

3. Without expressing any opinion on the merits of the case, the instant petition is disposed of with the direction to respondent No.2-The Director, Secondary Education, Haryana, Siksha Sadan, Sector 5, Panchkula to look into the grievances unfolded by the petitioners in legal notice dated 28.11.2017 (Annexure P-14) and to decide the same as per Rules and in the light of judgment passed by this Court in CWP No. 16084 of 1997, captioned as ***“Dharampal Singh v. State of Haryana and ors”***, decided on 27.07.2000 (Annexure P-8) as well as CWP No.5563-A of 1989, within a period of 3 months from the date of receipt of certified copy of this order.

4. However, if the petitioners still feel aggrieved against any of the order(s) passed by the concerned authority, they shall be at liberty to have recourse to the other remedies available to them as well as to approach this Court.

MARCH 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>