

CWP No. 6599 of 2018

DECIDED ON: MARCH 16, 2018

HARDARSHAN SINGH WALIA AND ORS

.....PETITIONERS

VERSUS

STATE OF PUNJAB AND ORS

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Hardeep Singh, Advocate
for the petitioners.

JASPAL SINGH, J (ORAL)

By virtue of instant petition preferred under Articles 226/227 of the Constitution of India, petitioners have sought a writ in the nature of mandamus directing the respondents to grant them pay scale of 3000/-4500+300/- special pay w.e.f. 01.01.1986 along-with interest @18% per annum .

2. The contention of learned counsel for the petitioners is that the case of the petitioner is based upon the Judgment passed by this Court in CWP No. 4685 of 1996, titled as 'Ram Singh & others vs. State of Punjab & others', decided on 06.01.2012 (P-3) and the petitioners are also entitled to the same benefit as was granted to the petitioners in *Ram Singh's case (supra)*. Petitioners served a legal notice upon the respondents on November 16, 2017 (P-7) but till date neither any reply has been received nor any conscious decision has been take on the afore-said legal notice (P-7). He further submits that he feels satisfied in case a direction is issued to respondents to consider

and decide the afore-said legal notice dated November 16, 2017 (P-7) within a stipulated period.

4. In view of above but without expressing any opinion on the merits of the case, instant petition is disposed of with a direction to respondents to look into the grievance unfolded by the petitioners in the legal notice dated November 16, 2017 (P-7) and to decide the same in accordance with law particularly in view of judgment referred in para 2 of this order, within a period of four months from the date of receipt of certified copy of this order.

5. In case, the claim of the petitioners is accepted, they shall be entitled to the consequential benefits restricted to 38 months prior to the date of filing of the instant petition i.e. March 14, 2018 and the same be released to them, in accordance with law, within a further period of one month. In case, the claim of the petitioners is not to be accepted, to pass a speaking order.

6. However, in case petitioners are still aggrieved, they shall be at liberty to have recourse to the other remedies available under law, including to approach this Court.

MARCH 16, 2018
sham

(JASPAL SINGH)
JUDGE

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