

129

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-8587-2018

Date of decision-06.04.2018

Kashmiri Lal and others

Petitioners

Vs.

State of Punjab and another

...Respondents

CORAM:- HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Yashpal Thakur, Advocate for the petitioners.

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 respondent No.2 to decide the representation dated 19.10.2016 (Annexure P-5) for releasing the yearly departmental increment since the year 2013.

Learned counsel for the petitioners states that petitioners have been acquitted by the Court of competent jurisdiction vide judgment passed by Sub Divisional Judicial Magistrate, Amloh titled as “State Vs. Kashmiri Lal and others” decided on 03.10.2016 (Annexure P-4). Further, he states that at this stage he would be satisfied, if a direction is issued to respondent No.2-Executive Officer, Municipal Council Mandi Gobindgarh, District Fatehgarh Sahib to consider and decide the representation dated 19.10.2016 (Annexure P-5) in the light of Annexure P-4.

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- Executive Officer, Municipal Council Mandi Gobindgarh, District Fatehgarh Sahib to consider and decide the representation dated 19.10.2016 (Annexure P-5) in the light of Annexure P-4 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 petitioners is admissible to them, in such eventuality, the consequential relief be allowed to them, within a period of six weeks thereafter. However, in case the competent authority feels that the relief claimed by the petitioners is not admissible to them or made out, in that case, a speaking order be passed in the matter.

(JITENDRA CHAUHAN)
JUDGE

06.04.2018
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Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No