

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-906-2018

Date of decision: - 30.11.2018

Ram Kumar

....Petitioner

Versus

Uttar Haryana Bijli Vitran Nigam and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Ram Niwas Sharma, Advocate, for the petitioner.

Mr. G.S. Dhindsa, Advocate
for Ms. Upasana Dhawan, Advocate, for the respondents.

HARSIMRAN SINGH SETHI, J. (ORAL)

In the present case, the petitioner has approached this Court challenging the order dated 10.04.2015 (Annexure P-10) vide which his pay was reduced and that too without giving opportunity of hearing. The said order was passed after the petitioner had already retired from service. The contention which has been raised on behalf of the petitioner is that re-fixation as done by the respondents vide order dated 10.04.2015 (Annexure P-10) is contrary to the law. Even otherwise, the recovery could not have been ordered from the petitioner.

Notice of motion was issued, but no reply has been filed so far.

Counsel for the respondents seeks some time to file the reply.

At this stage, counsel for the petitioner submits that for the

relief which has been claimed in the present petition, the petitioner has served respondents with a detailed legal notice dated 21.09.2017 (Annexure P-13). In the said legal notice, the petitioner has also brought to the notice of the respondents the judgments, which supports the claim of the petitioner.

Counsel for the petitioner further submits that at this stage the petitioner will be satisfied in case a time bound direction is given to the respondents to decide the said legal notice dated 21.09.2017.

In view of the request made, without expressing any opinion on the merits of the case and the claim being made by the petitioner, the respondents are directed to decide the legal notice dated 21.09.2017 (Annexure P-13) by passing a speaking order within a period of three months from the date of receipt of a certified copy of this order. In case after the decision, it is found that the petitioner is entitled for any monetary benefit, the same shall also be released to him within a period of next three months.

It is expected that the respondents will keep in mind the law point which the petitioner has mentioned in the above-said legal notice while deciding the claim of the petitioner.

Present writ petition stands disposed of.

November 30, 2018
naresh.k

(HARSIMRAN SINGH SETHI)
JUDGE

Whether reasoned/speaking?	Yes
Whether reportable?	No