

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH.**

(244-3)

CWP-9508-2018

Date of Decision: December 18, 2018

Gaja Nand Sharma and others

..Petitioners

Versus

State of Haryana and others

..Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Vivek Khatri, Advocate, for the petitioners.

Mr. Charanjit Singh Bakhshi, Addl. A.G., Haryana.

HARSIMRAN SINGH SETHI, J.(ORAL)

1. Present writ petition has been filed by the petitioners claiming the re-fixation of their pay in view of the orders of this Court passed in CWP No.16084 of 1997, CWP No.2757 of 1998 and CWP No.4518 of 2000 which were upheld by the Hon'ble Supreme Court, vide order dated 08.12.2015 (Annexure P-5) being Civil Appeal No.8661 of 2009.

2. Petitioners claim that they are similarly situated with those who have been granted the relief by this Court but the same has not been granted to them only on the ground that they have not approached this Court and were not the petitioners in above mentioned writ petitions.

3. The petitioner have filed the the present writ petition seeking the writ of mandamus but before approaching this Court, not even a single representation has been filed by the petitioners and hence, at this stage no mandamus can be issued.

4. Faced with this situation, learned counsel for the petitioners states that the petitioners be given liberty to file a representation to the respondents for the relief claimed by them and a time bound direction be

given to the respondents to decide the representation. The petitioner may file the representation within a period of three weeks.

5. Learned counsel for the respondents states that the Department has no objection for the grant of prayer of deciding their representation as being made by the petitioners hereinabove.

6. Keeping in view the request made by counsel for the parties and without expressing any opinion on the merits of the case and entitlement of the petitioners in respect of the claim made in the writ petition, the respondents are directed to decide the representation if filed within a period of three months from the date of receipt of the representation. In case it is found that the petitioners are entitled for any relief, the same shall also be released to them within a period of next three months.

7. Present writ petition stands disposed of.

December 18, 2018
harsha

(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No