

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

Sr. No.118

Civil Writ Petition No.9630 of 2018
DECIDED ON: May 08, 2018

RAMESH KUMAR MAHESHWARI

..PETITIONER

VERSUS

STATE OF HARYANA AND OTHERS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Raman B. Garg, Advocate,
for the petitioner.

JASPAL SINGH, J. (ORAL)

Through the instant civil writ petition, preferred under Article 226 of the Constitution of India, petitioner has sought the issuance of a writ in the nature of Mandamus directing the respondent No.2 to take action under Section 65 of the Haryana School Education Rules, 2003 against the respondents No.4 & 5 WITH FURTHER direction to pay him interest @ 12% per annum on the delayed payment of gratuity sanctioned vide order dated 18.08.2017 (P-3) and pension AND to pay the arrears of revision of pay scale w.e.f. 01.01.2006 to 29.02.2016, arrears of annual increments as on 01.01.1999, 01.01.2000, 01.01.2008 and 01.01.2012 to 29.02.2016 and arrears of dearness allowance from 01.07.2008 to 29.02.2016 and arrears of higher standard pay scales since 01.01.1994 with interest @ 12% per annum.

Civil Writ Petition No.9630 of 2018

2. At the very outset, learned counsel for the petitioner contends that though a legal notice dated 05.01.2018 (P-5) was made to the respondents but till date no conscious decision has been taken. He further submits that he feels satisfied in case a direction is issued to respondent No.2 to decide the aforesaid legal notice (P-5) in view of Rule 65 (2), within some specified period.

3. Without expressing any opinion on the merits of the case, instant petition is disposed of with a direction to respondent No.2-Director, School Education, Haryana, Shiksha Sadan, Sector 5, Panchkula to look into the grievances unfolded by the petitioner in the legal notice dated 05.01.2018 (P-5) and to take a conscious decision in accordance with law, rules and regulations, particularly Rule 65 of the Haryana School Education Rules, 2003, within a period of four months from the date of receipt of a certified copy of this order.

4. However, if petitioner still feels aggrieved by any of the orders passed by the aforesaid authority, he shall be at liberty to have recourse to the other remedies available under law as well as to approach this Court.

May 08, 2018

Ankur

**(JASPAL SINGH)
JUDGE**

**Whether speaking/reasoned
Whether reportable**

**Yes
Yes/No**