

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

(119)

CWP-5407-2019

Date of Decision: February 28, 2019

Madan Lal Jindal and others

.. Petitioners

Versus

State of Haryana and another

.. Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Umesh Narang, Advocate, for the petitioners.

HARSIMRAN SINGH SETHI, J.(ORAL)

In the present writ petition, the prayer made by the petitioners is that the petitioners were working on current duty charge and discharging the responsibilities of a higher post and therefore they are entitled for the pay for the period when the petitioners discharged the duties of the higher post.

In support of the said argument, the petitioners rely upon the order passed by this Court in **CWP No.3922 of 2011 titled as Narender Pal Singh Arya and another Vs. State of Haryana and others, decided on 03.10.2016** (Annexure P-5).

Learned counsel for the petitioners states that for the relief which has been claimed in the present writ petition, the petitioners have served upon the respondents with a legal notice dated 08.10.2018 (Annexure P-8) which is still pending consideration with the respondents. Counsel further states that the petitioners will be satisfied, at this stage, in case a time bound direction is issued to the respondents to decide the legal notice dated 08.10.2018 (Annexure P-8) by passing an appropriate speaking order.

Without commenting upon the merits of the case or about the entitlement of the petitioners for the relief which has been claimed by them in the legal notice dated 08.10.2018 (Annexure P-8), the present writ petition is disposed of with a direction to the respondents to decide the legal notice dated 08.10.2018 (Annexure P-8) within a period of three months from the receipt of certified copy of this order.

In case, it is found that the petitioners are entitled to any monetary benefits after the decision of the legal notice, the same should also be paid to them within three months thereafter.

February 28, 2019
harsha

(HARSIMRAN SINGH SETHI)
JUDGE

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