

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No. 15013 of 2019
Date of Decision : 29.05.2019

Chauth Mal Sharma

...Petitioner

Versus

Uttar Haryana Bijli Vitran Nigam Limited and others

...Respondents

CORAM: *HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI*

Present: Mr. Narinder Singh Behgal, Advocate for the petitioner.

Harsimran Singh Sethi, J.(Oral)

Learned counsel for the petitioner argues that after the petitioner was promoted as Sub Station Attendant (SSA) on 20.11.1984, he was not given any promotion for a period of 23 years till he superannuated on 31.03.2007 and, therefore, petitioner was entitled for grant of 1st, 2nd and 3rd ACP while working on the post of Sub Station Attendant, which benefit has not been granted to him.

Learned counsel for the petitioner has not been able to explain as to why the petitioner has approached this Court after a period of 12 years and no grievance in respect of the prayer made in the present writ petition was raised by the petitioner during his service career.

Faced with this situation, learned counsel for the petitioner states that petitioner will be satisfied, at this stage, in case a time bound direction is given to the respondents to decide the legal notice dated

14.03.2019 (Annexure P-2) served by the petitioner to the respondents.

Notice of motion.

Mr. C.S. Bakhshi, Additional Advocate General, Haryana, accepts notice on behalf of the respondents and keeping in view the advance notice given states that respondents have no objection for the grant of the prayer of deciding the legal notice in a time bound manner.

Without going into the merits of the case or expressing any opinion to the entitlement of the petitioner in respect of the relief claimed in the present writ petition or in the legal notice, the present writ petition is disposed of with a direction to the respondents to pass an appropriate speaking order on the claim raised by the petitioner in the legal notice dated 14.03.2019 (Annexure P-2) within a period of three months from the date of receipt of certified copy of this order.

In case after the order, it is found by the respondents that the petitioner is entitled for any monetary benefits, the same should also be released to him within a period of next three months.

In case the petitioner is found entitled for the relief as being claimed in the present writ petition, petitioner will be given notional fixation and not be given any arrears prior to the date of serving of the legal notice dated 14.03.2019 (Annexure P-2).

The writ petition stands disposed of.

May 29, 2019
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned? *Yes/No*

Whether reportable? *Yes/No*