

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

CWP No. 14996 of 2020

DATE OF DECISION :- September 21, 2020

Anil Kumar and others

...Petitioners

Versus

State of Haryana and another

...Respondents

CORAM: HON'BLE MR. JUSTICE H.S. MADAAN

Present:- Mr. Sanjeev Kodan, Advocate for the petitioners.

The case has been taken up through Video Conferencing.

Petitioners Anil Kumar, working as Accounts Officer with Municipal Council, Narnaul, Devki Nandan having retired as Section Officer from Haryana Roadways, Narnaul and Dev Parkash, Section Officer, LAO, Gurugram have approached this Court by way of filing the instant Civil Writ Petition under Article 226/227 of the Constitution of India against respondents i.e. State of State of Haryana through Additional Chief Secretary to Government of Haryana, Department of Finance, Haryana and The Director General, Department of Treasuries and Accounts Haryana for issuance of a writ in the nature of mandamus directing the respondents to grant benefit of higher pay scale/emoluments and all other consequential benefits from the date of their appointments for the reason that the petitioners had worked on vacant, sanctioned and regular post of Section Officer for more than 2-19 years in view of decision in CWP No. 7312 of 2016 decided on 17.11.2018 (Annexure P-6), LPA No. 1497 of 2019

decided on 6.9.2019 (Annexure P-7) and SLP (Civil) No. 8656 of 2020 decided on 9.7.2020 (Annexure P-8).

Notice of motion.

Mr. Rajneesh Chadwal, Assistant Advocate General, Haryana has accepted notice on behalf of the respondents.

Learned counsel for the petitioners submits that petitioners shall be satisfied if the respondents are directed to consider their claim and take decision in the matter within a fixed time frame. Learned State counsel states that respondents would comply with any such direction issued by this Court.

Accordingly, the present writ petition is disposed of directing the respondents to consider the claim of the petitioners and take decision in that regard by way of passing a speaking order and if some amount is found to be due then the same be paid within a period of two months from the date of receipt of certified copy of this order.

It is made clear that since the writ petition has not been decided on merits, in case after disposal of their representations the petitioners still feel aggrieved by the decision taken by the respondents then they shall be entitled to take recourse to the legal remedy, in accordance with law.

(H.S. MADAN)
JUDGE

September 21, 2020
p.singh

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No