

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

109

CWP No.16520 of 2020

Date of decision:8.10.2020

RAKESH KUMAR GAUTAM AND OTHERS

.....Petitioners

Vs

STATE OF PUNJAB AND OTHERS

.....Respondents

CORAM: *HON'BLE MR. JUSTICE RAJ MOHAN SINGH*

Present: Mr.Nilesh Singla, Advocate
for the petitioners.

RAJ MOHAN SINGH, J.(Oral)

The case has been taken up for hearing through video-conferencing.

Petitioners have preferred this writ petition in the nature of mandamus for issuance of necessary directions to respondents No.1 and 2 to step up their pay at par with respondent No.3 i.e. their junior w.e.f. 10.3.2012 in view of order dated 5.12.2019 passed by the department in pursuance of order dated 26.9.2019 passed by the High Court in **CWP No.22612 of 2019** titled **Nand Kishore and others vs. State of Punjab and others.**

Learned counsel for the petitioners submits that

similarly situated persons have been extended benefit of the aforesaid judgment in respect of arrears of pay and consequential benefits along with interest, but the petitioners have not been accorded the same relief for which they have already got issued a legal notice dated 13.3.2020 (Annexure P-7) to respondents No.1 and 2.

Learned counsel for the petitioners submits that, at this stage, petitioners would be satisfied, if the present writ petition is disposed of with a direction to respondent No.2 to decide the legal notice dated 13.3.2020 (Annexure P-7) issued by the petitioners. The prayer appears to be reasonable.

Notice of motion.

On the asking of Court, Mr.Nikhil Chopra, Addl.A.G., Punjab accepts notice on behalf of State.

In view of nature of order, which this Court proposes to pass there is no necessity of calling upon any response at this stage, as no order prejudicial to the interest of respondents is being passed.

In view of above, without meaning anything on the merits of the case, respondent No.2 is directed to decide the legal notice dated 13.3.2020 (Annexure P-7) issued by the petitioners by passing a speaking order in accordance with law, preferably within a period of one month from the date of receipt

of certified copy of this order.

Petition stands disposed of accordingly.

October 08, 2020

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Whether reasoned/speaking

Whether reportable

(RAJ MOHAN SINGH)
JUDGE

Yes/No

Yes/No