

(In virtual Court)

CWP No.3003 of 2021 (O&M)

Date of Decision: 08.09.2021

Narender Singh Beniwal

.....Petitioner

Versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE RAJBIR SEHRAWATPresent: Mr. N.K. Malhotra, Advocate,
for the petitioner.**RAJBIR SEHRAWAT, J. (ORAL)****CM-6071-CWP-2021**

This is an application for placing on record Annexures P-7 and P-8.

For the reasons mentioned in the application, the same is allowed. Annexures P-7 and P-8 are taken on record.

Main Case

This is a petition filed under Articles 226/227 of the Constitution of India seeking issuance of a writ of mandamus directing the respondents to pay the IIIrd ACP pay scale and implementing the 7th pay commission as per law and other benefits of pay scale which are due to the petitioner with interest @ 9% per annum from the date of due and fix the pension accordingly, with a further prayer to direct the respondents not to implement the office letter dated 23.06.2017 (Annexure P-5) like in the co-employee and not to effect any recovery or reduce the pension /pay of the

petitioner. It is further prayed that the respondents be directed to consider the case of the petitioner and take the final decision on the representation of the petitioner dated 22.12.2017 (Annexure P-3) by passing a well reasoned speaking order within a time bound frame.

At the outset, counsel for the petitioner submits that, at this stage, the petitioner would be satisfied if the respondents take a conscious decision on the representation of the petitioner dated 22.12.2017 (Annexure P-3) and pass a speaking order thereon, within a time bound frame.

Notice of motion.

Mr. Harish Rathee, Deputy Advocate General, Haryana, accepts notice on behalf of the respondents. Even counsel for the respondents is not averse to the expeditious disposal of the claim of the petitioner.

In view of the above, the present petition is disposed of with a direction to respondent No.3 to decide the representation of the petitioner dated 22.12.2017 (Annexure P-3) and take a conscious decision thereon by passing a speaking order; within a period of three months from the date of receipt of the certified copy of this order.

It is further ordered that if the petitioner is found entitled to any pecuniary benefits upon such a conscious decision; then the said pecuniary benefits shall also be released to the petitioner within a further period of three months; from the date of such conscious decision of the authorities.

08.09.2021
sandeep

(RAJBIR SEHRAWAT)
JUDGE

Whether Speaking/Reasoned : Yes/No

Whether Reportable : Yes/No