

(In virtual Court)

CWP No.13955 of 2021 (O&M)

Date of Decision: 29.07.2021

Shree Krishan

.....Petitioner

Versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE RAJBIR SEHRAWATPresent: Mr. Kamal Mor, Advocate,
for the petitioner.**RAJBIR SEHRAWAT, J. (ORAL)**

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 consider the representation/legal notice dated 07.06.2021 (Annexure P-5) of the petitioner for releasing the financial benefits after revising the pay scale of the petitioner as per the step-in up policy and grant all other due benefits i.e. retiral benefits, step-in up benefits, along with interest @ 18% per annum from the date of due and also release the other due financial benefits along with interest; further directing the respondent to consider the suspension period from 22.04.2020 to 27.07.2020 as duty period as charge sheet dropped vide letter dated 11.05.2021 (Annexure P-2) and also paid full salary for this period along with interest and also fix the annual increment falling due on 01.07.2020.

It is further prayed that the respondents be directed to consider the case of the petitioner and take the final decision on the legal notice of the petitioner dated 07.06.2021 (Annexure P-5) 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 legal notice of the petitioner dated 07.06.2021 (Annexure P-5) and pass a speaking order thereon, within a time bound frame.

Notice of motion.

Mr. Rajesh Gaur, Addl. 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.2 to decide the legal notice of the petitioner dated 07.06.2021 (Annexure P-5) 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.

(RAJBIR SEHRAWAT)
JUDGE

29.07.2021
sandeep

Whether Speaking/Reasoned : Yes/No
Whether Reportable : Yes/No