

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

107+212

**CM-3607-CWP-2021 IN/AND
CWP-17134-2020 (O&M)
Date of Decision: 04.03.2021**

Bhagwan Goyal

....Petitioner

VERSUS

State of Haryana and others

....Respondents

CORAM: HON'BLE MRS. JUSTICE ALKA SARIN

Present: Mr. Mohnish Sharma, Advocate for the petitioner.

Mr. Rajesh Gaur, Addl. A.G., Haryana for respondent no.1.

Mr. Satyam Tandon, Advocate
for applicant-respondent nos.2 to 11.

ALKA SARIN, J. (Oral)

Heard through video conferencing.

CM-3607-CWP-2021

This is an application under Section 151 CPC for placing on record written statement on behalf of respondent nos. 2 to 11.

For the reasons stated therein, the application is allowed subject to all just exceptions and the written statement is taken on record.

CWP-17134-2020 (O&M)

The present writ petition has been filed under Article 226 of the Constitution of India for issuance of a writ in the nature of *mandamus* directing the respondents to pay the salary/remuneration of the higher post of CDC of SDO (current duty charge of Sub Divisional Officer) w.e.f. 14.11.2007 on which the petitioner worked in view of office order no. 197/UH/HR-II dated 14.11.2007.

Notice of motion was issued in this case and written statement has been filed wherein it has been stated that representations (Annexure P-6 and P-7) were never received by the respondents and hence there was no question of taking any decision on the same.

Learned counsel representing respondent nos. 2 to 11 states that in case the representation is now filed before the concerned authorities the same shall be considered in accordance with law.

In view of the statement made by learned counsel for respondent nos. 2 to 11, learned counsel for the petitioner states that he would be satisfied if a direction is issued in the present writ petition to treat the writ petition itself as a representation on behalf of the petitioner and to decide the same in accordance with law.

In view of the above, the present writ petition is disposed off, without commenting on merits of the case, with a direction to respondent no.3, Chief Engineer (Operation), UHBVN, Rohtak, to treat the present writ petition as a representation on behalf of the petitioner and to decide the same in accordance with law within a period of two months from the date of receipt of certified copy of this order.

Disposed off accordingly.

(ALKA SARIN)
JUDGE

4th March, 2021
jk

NOTE: Whether speaking/non-speaking: Speaking
Whether reportable: YES/NO