

(In virtual Court)

CWP No.19534 of 2021(O&M)

Date of Decision: 27.09.2021

RAM DIYA

.....Petitioner

Versus

STATE OF HARYANA AND ANR

.....Respondents

CORAM: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present: Mr. Sanjiv Sheoran, Advocate and
Mr. Shubham Saroha, 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 in the nature of certiorari for quashing the impugned order dated 09.04.2021 passed by the Principal Chief Conservator of Forests Haryana, Panchkula, vide which his 1st and special ACP has been withdrawn. With a further prayer to issue a writ in the nature of mandamus directing the respondents to pay the pay scale of driver to the petitioner w.e.f. 24.10.1986 i.e. the date of his junior granting the same, grant one additional increment after his promotion to the post of Supervisor Driver and grant him the benefit of ACPs as per the earlier orders. 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 03.11.2020 (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 representation of the petitioner dated 03.11.2020 (Annexure P-5) 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.2 to decide the representation of the petitioner dated 03.11.2020 (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

27.09.2021
sandeep

Whether Speaking/Reasoned : Yes/No

Whether Reportable : Yes/No