

115 (1)

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

**CM-4100-CWP-2022 in /and
CWP No.40392 of 2018 (O&M)
Date of Decision: 24.03.2022**

Neetan Kumar

..... Petitioner

Versus

State of Punjab and ors.

..... Respondents

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present:- Mr.R.K. Arya, Advocate for the petitioner.
Ms.Maloo Chahal, DAG, Punjab.

MAHABIR SINGH SINDHU, J.

CM-4100-CWP-2022

Application to prepone the date of hearing in the main case
which is pending for 31.08.2022.

Notice of the application to non-applicants/ respondents.

Ms.Maloo Chahal, DAG, Punjab, who is present in Court,
accepts notice on behalf of the respondents and raises no objection to the
prayer made in the application.

For the reasons mentioned in the application as well as fair
stand taken by learned State counsel, the same is allowed. Main case is
preponed and taken up on board today itself.

MAIN CASE:

Present petition has been filed under Article 226 of the
Constitution of India, *inter-alia*, for issuance of a writ in the nature of
mandamus directing the respondents to grant salary in the higher pay scale

CWP No.40392 of 2018 (O&M)

to the petitioner for the period he worked as Junior Engineer as well as all consequential benefits flowing therefrom.

Learned counsel, on instructions from the petitioner submitted that instead of pressing the present petition on merits, his client would be satisfied in case the legal notice dated 12.10.2017 (P-5) is decided expeditiously.

Learned State counsel raises no objection against the innocuous prayer of the petitioner.

In view of the agreed stand taken by both sides, but without going into the merits of the controversy, this writ petition is disposed off with direction to respondent No.2-Chief Engineer, Punjab, PWD B&R, Pathankot, to consider and decide the aforesaid legal notice dated 12.10.2017 (P-5) in accordance with law by passing a speaking order within a period of 04 (four) months after the receipt of certified copy of this order.

Needless to say that in case there is a failure, petitioner would be at liberty to move an appropriate application for revival of present writ petition.

24.03.2022
sanjay

(MAHABIR SINGH SINDHU)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>