

114.

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

CWP-28993-2022

Date of Decision: 16.12.2022

RITESH BHARTI

.... Petitioner

Versus

STATE OF PUNJAB AND OTHERS

.... Respondents

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Upender Prasher, Advocate,
for the petitioner.

JAISHREE THAKUR.J (Oral)

The petitioner herein seeks a writ in the nature of mandamus directing the respondents to pay him the subsistence allowance from the date of his suspension and further to revise the same after the expiry of period of six months and release the arrears accrued thereon.

At the very outset, counsel appearing on behalf of the petitioner would submit that at this stage, the petitioner would be satisfied in case his legal notice dated 31.01.2022 (Annexure P-2) served upon respondent No.1, whereupon no action has been taken till date, is decided, in accordance with law, in a time bound manner.

Notice of motion.

On the asking of the Court, Ms. Deepali Puri, Additional Advocate General, Punjab, accepts notice on behalf of the respondents.

Let sufficient number of copies of complete paper book be supplied to her during the course of day.

Without commenting on merits of the case and keeping in view the limited prayer made by counsel for the petitioner, the present petition is disposed of with a direction to respondent No.1 to decide legal notice dated 31.01.2022 (Annexure P-2) of the petitioner within a period of one month from the date of receipt of certified copy of this order, in accordance with law and convey the decision to the petitioner. In case of failure to do so, the officer responsible for the lapse would be liable to costs of Rs.20,000/- from his personal pocket, to be deposited with the Punjab and Haryana High Court Advocates Welfare Fund.

(JAISHREE THAKUR)
JUDGE

16.12.2022

sanjeev

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No