

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

**CWP No.1299 of 2023 (O&M)
Date of decision : 23.01.2023**

HC/PR Davinder Kumar & ors.

..... Petitioners

versus

The State of Punjab & ors.

..... Respondents

CORAM : HON'BLE MR.JUSTICE PANKAJ JAIN

Present :- Mr. Jasbir Singh Mohri, Advocate
for the petitioners.

PANKAJ JAIN, J. (ORAL)

The petitioners have preferred present petition under Article 226/227 of the Constitution of India seeking writ in the nature of mandamus in the form of direction to the respondents to release all arrears of dearness allowance.

The petitioners claim that though similarly situated employees have been granted the relief but they have been denied the same without any cogent reason. Learned counsel for the petitioners relies upon the order dated 02.12.2022 (Annexure P-9) and submits that in light thereof the petitioners have already served a legal notice dated 08.12.2022 placed on record as Annexure P-10. He further submits that at this stage, he would be satisfied if the respondents are directed to decide the legal notice within a time bound frame.

Notice of motion.

Mr. Charanpreet Singh, AAG, Punjab who is present in Court accepts notice on behalf of the respondents and does not dispute the letter dated 2.12.2022 (Annexure P-9).

Resultantly, the writ petition is disposed off with a direction to respondent No.3 to decide the legal notice dated 08.12.2022 (Annexure P-10) within a period of three months from the date of receipt of certified copy of this order. In case, the petitioners are found entitled, their claim be released within a period of four weeks thereafter along with interest (if any) granted to the similarly situated persons.

In case, the respondents feel that petitioners are not entitled for the same he shall pass a speaking order. Any further delay shall entail interest @ of 18% per annum and the same shall be recoverable from the personal pocket of respondent No.3.

(PANKAJ JAIN)
JUDGE

23.01.2023

Pooja sharma-I

Whether speaking/reasoned
Whether Reportable :

Yes
No