

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

CWP-5135-2023

Date of decision : 15.03.2023

ASI/LR Harpal Singh

....Petitioners

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE PANKAJ JAIN

Present : Mr. Baljeet S. Sidhu, Advocate
for the petitioner.

PANKAJ JAIN, J. (ORAL)

The petitioner has preferred present writ 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.

2. The petitioner claims that though similarly situated employees have been granted the relief but he has been denied the same without any cogent reason. Learned counsel for the petitioner relies upon the order dated 02.12.2022 (Annexure P-10) and submits that in light thereof the petitioner has already served a legal notice dated 09.01.2023 placed on record as Annexure P-8. 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 manner.

3. Notice of motion.

4. Mr. Sehajbir Singh Aulakh, Asstt. Advocate General, Punjab

who is present in Court accepts notice on behalf of the respondents and does not dispute the letter dated 02.12.2022 (Annexure P-10).

5. Resultantly, the writ petition is disposed off with a direction to respondent No.3 to decide the legal notice dated 09.01.2023 (Annexure P-8) within a period of three months from the date of receipt of certified copy of this order. In case, the petitioner is found entitled, his claim be released within a period of **four weeks** thereafter along with interest (if any) granted to the similarly situated persons.

6. In case, the respondents feel that petitioner is 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.

March 15, 2023
Dpr

(PANKAJ JAIN)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No