

IN THE HIGH COURT OF PUNJAB & HARYANA, CHANDIGARH

Sr. No. 127

Civil Writ Petition No.19163 of 2023**Date of Decision: August 31, 2023**

Sube Singh

..... PETITIONER(S)

VERSUS

The State of Haryana & others

..... RESPONDENT(S)

...

CORAM: HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA

...

PRESENT: - Mr. Abhinav Aggarwal, Advocate, for the petitioner.Mr. Sanjeev Kaushik, Additional Advocate General,
Haryana.

. . .

Tribhuvan Dahiya, J (Oral)

This petition has been filed seeking a writ in the nature of certiorari for quashing of impugned respondent department non speaking arbitrary reply dated 07.04.2023 (Annexure P-4) which is arbitrarily passed in total violation of Haryana Government Notification dated 28.10.2016 (Annexure P-1).

Learned counsel for the petitioner contends that legal notice submitted by the petitioner on 13.03.2023 (Annexure P-3), has not been decided, only a formal reply thereto has been received which is non-speaking. The respondents are required to take appropriate decision to decide his claim and grant third ACP scale which is due. The petitioner is ready to furnish an undertaking, as may be required, for the purpose. At this

stage, the petitioner will be satisfied in case his legal notice, dated 13.03.2023 (Annexure P-3), pending with respondent No.2-Engineer-in-Chief, Public Health Engineering Department, Haryana, is ordered to be decided by passing a speaking order within a specified period.

4. Notice of motion.

5. Mr.Sanjeev Kaushik, Additional Advocate General, Haryana, accepts notice on behalf of the respondents and submits that legal notice, dated 13.03.2023 (Annexure P-3), shall be decided by respondent No.2, expeditiously.

6. In view thereof, without going into the merits of the case, the instant petition is disposed of with a direction to respondent No.2 to consider and decide the legal notice, dated 13.03.2023 (Annexure P-3), by passing a speaking order thereupon, within a period of six weeks from the date of receiving a certified copy of this order.

(Tribhuvan Dahiya)
Judge

August 31, 2023
Meenu

Whether Speaking/ Reasoned:	Yes/ No
Whether Reportable:	Yes/ No