

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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CWP-17089-2014 (O&M)
Date of decision : 03.07.2023

CHANDER SHEKHAR & ORS

...PETITIONERS

V/S

STATE OF HARYANA & ORS

...RESPONDENTS

CORAM : HON'BLE MR. JUSTICE SANDEEP MOUDGIL, J.(ORAL)

Present: Mr. Rajiv Godara, Advocate
for the petitioners.

Mr. Kapil Bansal, DAG, Haryana
for respondent No.1-State.

Ms. Pallavi Babber, Advocate for
Mr. J.S. Bedi, Advocate
for respondents No.2 to 4.

SANDEEP MOUDGIL, J. (ORAL)

1. The instant writ petition was preferred seeking a mandamus directing the respondents to decide legal notices dated 17.09.2012 and 05.01.2014 (Annexures P-11 and P-12 respectively) whereby notification dated 17.11.2003 has been sought to be withdrawn being discriminatory qua the petitioners.

2. Today, though request for an adjournment has been made on behalf of respondents No.2 to 4 by Ms. Pallavi Babber, learned counsel appearing for Mr. J.S. Bedi, Advocate, this Court put a query to learned counsel for the petitioner on which he submits that since the legal notices mentioned herein above has not been replied so far by the respondents No.2 to 4, it would be appropriate to call upon respondents No.2-Managing Director, Dakshin Haryana Bijli Vitran

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Nigam Ltd., Hisar to consider the legal notices dated 17.09.2012 and 05.01.2014 (Annexures P-11 and P-12 respectively).

3. The opposite parties have not opposed the said proposal made by Mr. Rajeev Godara, learned counsel for the petitioner.

4. Having considered the submissions made by Mr. Rajiv Godara and also in the light of the fact that cause of action in favour of petitioner is continuing and recurring this Court is convinced that the respondent authority shall examine the case as per law and in fact are duty bound to respond to legal notice served by the petitioner.

5. In the light of factual and circumstantial aspect of this case added with the fair stand taken by Mr. Rajiv Godara, learned counsel for the petitioner, the present petition is accordingly disposed of with a direction to respondent No.2 to consider and decided legal notices dated 17.09.2012 and 05.01.2014 (Annexures P-11 and P-12 respectively) in accordance with law within a period of 06 weeks from the date of receiving of copy of this order after taking into account the submissions/pleadings made in the legal notices as well as the instant petition as part of the representation, after giving an opportunity of hearing to the petitioners.

5. Speaking order, if any, so passed shall be supplied to the petitioners within one week thereafter.

03.07.2023
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(SANDEEP MOUDGIL)
JUDGE

Whether speaking/reasoned:
Whether Reportable:

Yes/No
Yes/No