

CWP-18235-2023

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2023:PHHC:116401

IN THE HIGH COURT OF PUNJAB & HARYANA AT  
CHANDIGARH

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CWP-18235-2023

Date of decision : 05.09.2023

Akbar Hussain

... Petitioner

Versus

State of Haryana and others

... Respondents

***CORAM: HON'BLE MR.JUSTICE VIKAS BAHL***

Present: Mr.Mohammad Arshad, Advocate and  
Mr.Salman Ahmed, Advocate  
for the petitioner.

Ms. Rajni Gupta, Addl.A.G. Haryana  
for the respondents.

**VIKAS BAHL, J.(ORAL)**

1. This is a civil writ petition filed under Articles 226/227 of the Constitution of India for issuance of an appropriate writ, order or direction especially in the nature of mandamus directing the respondents to grant the entire service benefits to the petitioner in lieu of services rendered by the petitioner in the respondent department.

2. Learned counsel for the petitioner has submitted that for the grievances raised by the petitioner, the petitioner has given a legal notice dated 07.06.2023 (Annexure P-5) to respondents no.2 and 3 and at this stage, the petitioner would be satisfied in case the competent authority considers the said legal notice in a time bound manner and if after considering the same, in case, the plea raised by the petitioner is found to be meritorious, then necessary relief be granted to the petitioner.

3. Learned State counsel has submitted that the competent authority of the respondents would consider the legal notice dated 07.06.2023 (Annexure P-5) and decide the same within a period of 8 weeks from the date of the receipt of certified copy of the present order and in case any amount is found due to the petitioner, then the same would be released to the petitioner.
4. Keeping in view the above said facts and circumstances, the present petition is disposed of with a direction to the competent authority of the respondents to consider the legal notice dated 07.06.2023 (Annexure P-5) of the petitioner and decide the same, in accordance with law, as expeditiously as possible, preferably within a period of 8 weeks from the date of the receipt of certified copy of the present order and in case, after considering the same, the plea raised by the petitioner is found to be meritorious, then necessary relief be granted to the petitioner and in case, the plea raised by the petitioner is not found to be meritorious, then a speaking order rejecting the same be passed within a period of 8 weeks from the date of the receipt of certified copy of the present order.
5. It is made clear that this Court has not opined on the merits of the case and the competent authority of the respondents would consider and decide the legal notice independently, in accordance with law.

(VIKAS BAHL)  
JUDGE

September 05, 2023  
*Davinder Kumar*

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|-----------------------------|--------|
| Whether speaking / reasoned | Yes/No |
| Whether reportable          | Yes/No |