

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

106

CWP-1835-2024  
Date of Decision: 29.02.2024

Nityanand Yadav ...Petitioner(s)

Versus

State of Haryana and others ...Respondent(s)

CORAM: HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA

Present:- Mr. Umesh Narang, Advocate for the petitioner

Mr. Sanjeev Kaushik, Addl. AG, Haryana

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TRIBHUVAN DAHIYA, J. (Oral)

This petition has been filed seeking a writ of *mandamus* directing the respondents to release the benefit of additional increment on completion of ten/twenty years of service by counting *ad hoc* service and to release the amount of recovery of ₹20,599 withheld from gratuity as per judgment dated 04.07.2008 passed in CWP-7862-2006 titled *Hanumant Singh and others v. State of Haryana and others*, Annexure P-6, with all consequential benefits.

2. Learned counsel for the petitioner submits that grievance raised herein is pending for appropriate decision before the respondents. At this stage, the petitioner will be satisfied in case respondent No.2 is directed to decide the pending legal notice, dated 08.04.2023, Annexure P-11, in a specified period.

3. Notice of motion.
4. Mr. Sanjeev Kaushik, Addl. AG, Haryana, accepts notice and submits that the pending legal notice shall be decided by respondent No.2 expeditiously.
5. In view thereof, without going into merits of the case, the petition is disposed of with a direction to respondent No.2/Commissioner and Director General, School Education, Haryana, to consider and decide the pending legal notice dated 08.04.2023, by passing a speaking order in accordance with law, within a period of three months from the date of receiving a certified copy of this order.
6. In case the order is not passed within the stipulated period, the officer concerned shall pay costs of ₹25,000 to the petitioner.

(TRIBHUVAN DAHIYA)  
JUDGE

29.02.2024  
Payal

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