

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

CWP-1880 of 2024

Date of decision: 30.01.2024

Amarjit Singh

.....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE NAMIT KUMAR

Present: - Mr. Sandeep Siwach, Advocate,
for the petitioner.

Ms. Anju Sharma Kaushik, DAG, Punjab.

Mr. J.S. Toor, Advocate,
for respondents No.4 and 5.

NAMIT KUMAR, J.

1. Present petition has been filed under Articles 226/227 of the Constitution of India praying for issuance of writ in the nature of *mandamus* directing the respondents to make the salary of the petitioner with interest from 06.02.2013 to 31.01.2015, whereby suspension period of the petitioner was treated as duty period by respondent No.2 vide order dated 27.08.2021 (Annexure P-2) and other consequential benefits accrued to him have not been paid till date.

2. Learned counsel for the petitioner at the outset confines his prayer for deciding legal notice dated 25.09.2023 (Annexure P-4). He submits that at this stage, petitioner would be satisfied, if the said legal notice is decided by passing a speaking order within a time-bound frame.

3. Notice of motion.

4. On the asking of the Court, Ms. Anju Sharma, DAG, Punjab, who is present in Court accepts notice on behalf of the respondents No.1 to 3 and Mr. J.S. Toor, Advocate, accepts notice on behalf of respondents No.4 and 5.

5. I have heard learned counsel for the parties and have gone through the record of the case.

6. Without expressing any opinion on the merits of the case or the claim being made by the petitioner in the present petition, respondent No.3-Competent Authority is directed to consider and decide the claim made in the legal notice dated 25.09.2023 (Annexure P-4) in accordance with law, by passing a speaking order 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 six weeks thereafter. In case, the respondents are of the opinion that the claim of the petitioner merits rejection the same be adjudicated upon by passing a speaking order after giving an opportunity of personal hearing to the petitioner within the time as stipulated hereinabove.

7. The petition stands disposed of.

(NAMIT KUMAR)
JUDGE

30.01.2024
R.S.

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No