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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CWP-4220-2024
Date of Decision: 06.03.2024

Krishan Petitioner
Versus

Uttar Haryana Bijli Vitran Nigam Ltd. and others Respondents

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Gaurav Khera, Advocate
for the petitioner.

JASGURPREET SINGH PURI, J. (ORAL)

1. The present writ petition has been filed under Article 226/227 of the Constitution of India for issuance of a writ, order or direction especially in the nature of *mandamus* directing the respondents to pay the 3rd ACP and basic pay as per the Government Guidelines along with all consequential benefits that flows therefrom to the petitioner.

2. Learned counsel for the petitioner submitted that initially, the petitioner has joined the service on 01.07.1997 as an Assistant Lineman in the respondent-Nigam and thereafter, promoted as Lineman and again promoted as AFM on 16.09.2019. He further submitted that the grievance of the petitioner is that the other employees are getting more basic pay than that of the petitioner and submitted that for a number of time, representations were made to the respondents-Nigam by the petitioner but no action was taken; at last, a legal notice dated 30.01.2024 (Annexure P-2) was issued to the respondent, but neither the legal notice has been replied to nor any action

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has been taken in this regard. He further submitted that at this stage, the petitioner confines the scope of the present petition only to the extent that necessary directions may be issued to the respondents-Nigam to consider and decide the legal notice (Annexure P-2) issued by him in accordance with law in a time bound manner.

3. Notice of motion.
4. On the asking of the Court, Mr. Samarth Sagar, Additional Advocate General, Haryana, who is present in Court, appears on behalf of the respondent-Nigam and stated that he has no objection, in case, a direction is issued to the respondent for considering and deciding the legal notice issued by the petitioner vide Annexure P-2 in accordance with law and within a fixed time frame.
5. In view of the aforesaid position, without calling for the reply from the respondents and without observing anything on the merits of the case, the present petition is disposed of with a direction to respondent No.2/3 to consider and decide the legal notice issued by the petitioner vide Annexure P-2 dated 30.01.2024 strictly in accordance with law by passing a well-reasoned speaking order within a period of three months from today.

06.03.2024

(JASGURPREET SINGH PURI)

Bhumika

JUDGE

1. Whether speaking/reasoned: Yes/No
2. Whether reportable: Yes/No