

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CWP-3403-2024
Date of decision : 15.02.2024

Meenakshi Sharma and others

... Petitioners

Versus

State of Haryana and others

... Respondents

CORAM: HON'BLE MR.JUSTICE VIKAS BAHL

Present: Mr.Stephan Masih, Advocate
for the petitioners.

Ms.Palika Monga, DAG, Haryana.

VIKAS BAHL, J.(ORAL)

1. This is a civil writ petition filed under Article 226/227 of the Constitution of India for issuance of a writ in the nature of mandamus directing the respondents to grant the minimum of regular pay scale with dearness allowances of the post on which the petitioners are working from the date of appointment.
2. Learned counsel for the petitioners has submitted that the petitioners are already being paid the minimum of regular pay scale and thus, the only grievance left of the petitioners is with respect to the payment of dearness allowance and further submitted that at this stage, the petitioners would be satisfied in case the legal notice dated 05.01.2024 (Annexure P-5) on the aspect of dearness allowance and its payment is considered by the competent authority of respondent no.1 in a time bound manner and if after considering the same, in case, the plea raised by the

petitioners is found to be meritorious, then necessary relief be granted to the petitioners.

3. Learned State counsel has submitted that the competent authority of respondent no.1 would consider the said legal notice and decide the same within a period of three months from the date of the receipt of certified copy of the present order.

4. Keeping in view the above said facts and circumstances, the present petition is disposed of with a direction to the competent authority of respondent no.1 to consider the legal notice dated 05.01.2024 (Annexure P-5) of the petitioners and decide the same, in accordance with law, as expeditiously as possible, preferably within a period of three months from the date of the receipt of certified copy of the present order and in case, after considering the same, the plea of the petitioners is found to be meritorious, then necessary relief be granted to the petitioners and in case, the plea of the petitioners is not found to be meritorious, then a speaking order rejecting the same be passed within a period of three months 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 respondent no.1 would consider and decide the legal notice independently, in accordance with law.

(VIKAS BAHL)
JUDGE

February 15, 2024
Davinder Kumar

Whether speaking / reasoned	Yes/No
Whether reportable	Yes/No