

CM-4414-CWP-2024 in/and
CWP-4116-2024

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2024:PHHC:039707

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(119)

CM-4414-CWP-2024 in/and
CWP-4116-2024

Date of decision: - 20.03.2024

Raj Kumar

....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE VIKAS BAHL

Present:- Mr. Neeraj Yadav, Advocate,
for the applicant-petitioner.

Mr. TPS Walia, AAG, Punjab.

Mr. Pranav Chadha, Advocate
for respondent No.3.

VIKAS BAHL, J. (ORAL)

CM-4414-CWP-2024

1. This is an application under Section 151 CPC read with Order 9 Rule 9 for restoration of the main writ petition which was dismissed for non-prosecution on 26.02.2024.

2. For the reasons mentioned in the application, the same is allowed. The order dated 26.02.2024 is recalled and the main writ petition is restored to its original number.

CWP-4116-2024

1. This is a Civil Writ Petition filed under Article 226/227 of

the Constitution of India for the issuance of a writ in the nature of mandamus directing the official respondents to refix the pay of the petitioner according to increments/scale granted in the parent department i.e., Department of Water Resources, Punjab.

2. Learned counsel for the petitioner has submitted that for the grievances raised by the petitioner, the petitioner had given a representation dated 02.02.2024 (Annexure P-3) and at this stage, the petitioner would be satisfied, in case, competent authority of respondent No.1-State considers the same, in accordance with law, within a specified time frame and in case, the plea raised by the petitioner is found to be meritorious, then, grant the appropriate relief to the petitioner.

3. Learned counsel appearing for the respondent-State has submitted that competent authority of respondent No.1-State would consider the said representation dated 02.02.2024 (Annexure P-3), filed by the petitioner, in accordance with law and the same would be done within a period of six weeks from the date of certified copy of this order.

4. Keeping in view the above-said facts and circumstances, the present petition is disposed of, with a direction to competent authority of respondent No.1-State to consider the representation dated 02.02.2024 (Annexure P-3) filed by the petitioner within a period of six weeks from the date of receipt of the certified copy of this order and in case, competent authority of respondent No.1-State is of the view that the plea raised by the petitioner is meritorious, then, the appropriate relief be granted to the petitioner, as expeditiously as possible. In case, competent authority of respondent No.1-State is of the view that the plea raised by

the petitioner is meritless, then, a speaking order rejecting the claim be passed within the aforesaid period of six weeks.

5. It is made clear that this Court has not opined on the merits of the case and competent authority of respondent No.1-State would consider and decide the matter independently, in accordance with law.

March 20, 2024
naresh.k

(VIKAS BAHL)
JUDGE

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