

CWP-4073-2024

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2024:PHHC:024746

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CWP-4073-2024

Date of decision : 22.02.2024

Roshan Lal and another

... Petitioners

Versus

State of Punjab and others

... Respondents

CORAM: HON'BLE MR.JUSTICE VIKAS BAHL

Present: Mr.Sanjeev Kumar Arora, Advocate
for the petitioners.

Mr.Ferry Sofat, Addl.A.G.Punjab.

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 pay scale of Rs.140-300 with effect from the date of their joining as Pump Operators on work charged basis i.e. 17.10.1973 and 28.02.1975 and Rs.450-800 w.e.f. 01.01.1978 to the petitioners and the consequential benefits in view of the judgment dated 30.05.2008 passed by this Court in CWP-10759-1990 titled as “Rajinder Pal Gautam & others vs. State of Punjab & others”.

2. Learned counsel for the petitioners has submitted that for the grievances raised by the petitioners, the petitioners have given a legal notice dated 15.11.2023 (Annexure P-8) and at this stage, would be satisfied in case the legal notice 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 3 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 15.11.2023 (Annexure P-8) of the petitioners and decide the same, in accordance with law, as expeditiously as possible, preferably within a period of 3 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 3 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 all the issues including issue on delay etc. and decide the legal notice independently, in accordance with law.

(VIKAS BAHL)
JUDGE

February 22, 2024
Davinder Kumar

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