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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-10007-2024
Date of decision: 02.05.2024

MAINPAL

...Petitioner

VERSUS

STATE OF HARYANA AND OTHERS

...Respondents

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present:- Mr. Chanderhas Yadav, Advocate
for the petitioner.

JASGURPREET SINGH PURI, J. (Oral)

1. The present writ petition has been filed under Articles 226/227 of the Constitution of India seeking issuance of a writ in the nature of *certiorari* for setting aside the reply/order dated 18.04.2022 (Annexure P-20), vide which claim of the petitioner of pay parity with his junior has been declined and further to issue a writ in the nature of *mandamus* directing the respondent-authorities to re-fix the basic pay/pension of the petitioner after calculating the same at par with his junior.

2. Learned counsel for the petitioner submitted that the petitioner had served a legal notice dated 18.02.2022 (Annexure P-19) to the Managing Director, UHBVNL, Panchkula and though reply to the same has been filed vide Annexure P-20 but it is not a speaking order. He further submitted that at this stage, the petitioner will be satisfied in case the aforesaid legal notice dated 18.02.2022 (Annexure P-19) is considered again and decided by the

respondent-Nigam in accordance with law and in a time bound manner by passing a speaking order.

3. Notice of motion.
4. On the asking of the Court, Mr. Samarth Sagar, Addl. A. G., Haryana, who is present in the Court, accepts notice on behalf of all the respondents. He submitted that in view of the limited prayer made by learned counsel for the petitioner, he has no objection in case a time bound direction is issued by this Court in this regard.
5. In view of the aforesaid facts and circumstances where although reply to the legal notice was given by the respondent-Nigam vide Annexure P-20 but speaking order was required to be passed, without calling for the reply from the respondents and without expressing anything on the merits of the case, the present writ petition is disposed of with a direction to the Managing Director, UHBVNL, Panchkula/competent authority to again consider and decide the legal notice dated 18.02.2022 (Annexure P-19) strictly in accordance with law and within a period of three months from today by passing a speaking order.

02.05.2024
Chetan Thakur

(JASGURPREET SINGH PURI)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No