

2024:PHHC:070801



CWP-11859-2024

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IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CWP-11859-2024

Date of decision : 20.05.2024

Manjit Singh Sahi

... Petitioner

Versus

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr.Amrik Singh, Advocate
for the petitioner.

Mr.T.P.S. Walia, AAG, Punjab.

VIKAS BAHL, J.(ORAL)

1. This is a civil writ petition filed under Article 226 of the Constitution of India for issuance of a writ in the nature of mandamus directing the respondents to re-fix the pay and consequent pension of the petitioner on notional basis with effect from 31.03.2010.

2. Learned counsel for the petitioner has submitted that for the grievances raised by the petitioner, the petitioner had given a legal notice dated 11.04.2024 (Annexure P-4) 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 pleas raised by the petitioner are found to be meritorious, then necessary relief be granted to the petitioner.

3. Learned State counsel has submitted that the competent



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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 11.04.2024 (Annexure P-4) of the petitioner 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 pleas of the petitioner are found to be meritorious, then necessary relief be granted to the petitioner and in case, the pleas of the petitioner are 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 and all the issues including issue on delay are kept open.

(VIKAS BAHL)
JUDGE

May 20, 2024
Davinder Kumar

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