

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CWP-17100-2023

Decided on :13.03.2024

Ashok Kumar

... Petitioner

Versus

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

PRESENT: Mr. Kuljit Singh, Advocate for
Mr. Peeush Gagneja, Advocate
for the petitioner.

Ms. Neha Sonawane, DAG, 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 take a final decision and to grant the benefits of annual increments, revised pay scales, ACP Scheme Benefits of 4-9-14 years, 4th-5th and 6th Pay Commission benefits and all other remaining service benefits of the petitioner, alongwith the interest.

2. Learned counsel for the petitioner has submitted that for the grievances raised by the petitioner in the present writ petition, the petitioner had given legal notice dated 12.05.2023 (Annexure P-2) and he would be satisfied at this stage, in case, the competent authority of respondent No. 1 is directed to consider the said legal notice dated 12.05.2023 (Annexure P-2) in a time bound manner and in case, the pleas raised by the petitioner are found to be meritorious then to grant necessary relief in accordance with law.

3. Learned State Counsel has submitted that the competent authority of respondent No. 1 would consider the said legal notice dated 12.05.2023 (Annexure P-2) in accordance with law, as expeditiously as possible preferably within a period of six weeks from the date of receipt of certified copy of the present order.

4. Keeping in view the abovesaid facts and circumstances, the present Civil Writ Petition is disposed of with direction to the competent authority of respondent No. 1 to consider legal notice dated 12.05.2023 (Annexure P-2) in accordance with law within a period of six weeks from the date of receipt of certified copy of the present order and in case, the pleas raised by the petitioner are found to be meritorious then the competent authority of respondent No. 1 would grant necessary relief, in accordance with law and in case, the competent authority of respondent No. 1 is of the opinion that the pleas raised by the petitioner are not meritorious then a speaking order rejecting the same be passed within a period of six weeks from the date of receipt of certified copy of the present order.

5. This Court has not opined on the merits of the case and the competent authority of respondent No. 1 would consider the case of the petitioner independently, in accordance with law.

(VIKAS BAHL)
JUDGE

13.03.2024
Mehak

Whether reasoned/speaking?
Whether reportable?

Yes/~~No~~
~~Yes~~/No