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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-20985-2024

Date of decision: 29.08.2024

SHIV KUMAR

...Petitioner

VERSUS

STATE OF HARYANA AND ANOTHER

...Respondents

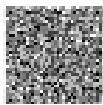
CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present:- Mr. Saksham Dudeja, Advocate
for the petitioner.

JASGURPREET SINGH PURI, J. (Oral)

1. The present writ petition has been filed under Article 226 of the Constitution of India seeking issuance of a writ in the nature of *mandamus* directing the respondents to fix the salary of the petitioner according to 7th Pay Commission with effect from 01.01.2016 with a further prayer to direct the respondents to release the monetary benefits i.e. arrears of salary to the petitioner during the time he was in service till his retirement i.e. with effect from 01.01.2016 to 28.02.2017, one increment and thereafter, gratuity and other benefits after fixation of salary according to 7th Pay Commission and also to release the pension of the petitioner after fixation of his salary.

2. Learned counsel for the petitioner submitted that the petitioner had served a legal notice dated 08.07.2024 (Annexure P-4) to respondent No.2- Commissioner, Municipal Corporation, Faridabad but the same has not been



considered and decided till date. He further submitted that at this stage, the petitioner will be satisfied in case the aforesaid legal notice dated 08.07.2024 (Annexure P-4) is considered and decided by respondent No.2-Commissioner, Municipal Corporation, Faridabad in accordance with law and in a time bound manner.

- 3. Notice of motion.
- 4. On the asking of the Court, Ms. Rajni Gupta, Addl. A.G., Haryana, accepts notice on behalf of all the respondents. She submitted that in view of the limited prayer made by learned counsel for the petitioner, she has no objection in case a time bound direction is issued in this regard.
- 5. In view of the aforesaid facts and circumstances, 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 respondent No.2-Commissioner, Municipal Corporation, Faridabad to consider and decide the legal notice dated 08.07.2024 (Annexure P-4) strictly in accordance with law and within a period of three months from today.

29.08.2024
Chetan Thakur

(JASGURPREET SINGH PURI)
JUDGE

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