



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

120

CWP-23060-2024
Date of decision: 19.09.2024

GURPREET SINGH

.....Petitioner

VERSUS

STATE OF PUNJAB AND OTHERS

.....Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK MANCHANDA

Present: None for the petitioner.

Ms. Neha Sonawane, DAG, Punjab.

DEEPAK MANCHANDA J. (ORAL)

1. The instant petition has been 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 higher pay/emoluments to the petitioner from the date when the petitioner assumed the charge of higher post of Chief Engineer till he worked against the said post.
2. A perusal of file would show that the petitioner had been appointed as SDE on 01.06.1984 in the respondent-department. The petitioner retired on 31.07.2018 upon attaining the age of 59 years as Chief Engineer after one year extension of service and he was entitled to higher pay/emoluments from the date when he assumed the charge of the post of Chief Engineer till the day he retired which the respondent-department withheld without giving any justifiable reasons. The petitioner has served a legal notice dated 09.05.2024 (Annexure P-12) to the respondents, which has not been taken into consideration and decided by the

respondents till date.



3. Notice of motion.
4. On asking of the Court, Ms. Neha Sonawane, DAG, Punjab, who is present in the Court, accepts notice on behalf of the respondents and submits that the respondent No.3 is the competent authority to take final decision and she does not object to the prayer made in the writ petition.
5. In view of the pleadings in the present petition, without expressing any opinion on the merits of the case or the claim being made by the petitioner in the legal notice dated 09.05.2024 (Annexure P-12), respondent No.3 is directed to decide the legal notice, by passing a speaking order within a period of 8 weeks from the date of receipt of certified copy of this order with a further direction that if the petitioner is found to be entitled to the claim mentioned in the abovesaid legal notice, necessary disbursement of funds shall be made to him within a period of 8 weeks thereafter.
6. The petition stands disposed of.

September 19, 2024
Nisha Yadav

(DEEPAK MANCHANDA)
JUDGE

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