



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

134

CWP-28606-2024
Date of Decision: 22.10.2024

Ram Niwas

...Petitioner(s)

Versus

State of Haryana and others

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA

Present:- Mr. Sanjeev Kumar Bhar, Advocate for the petitioner

TRIBHUVAN DAHIYA, J. (Oral)

The petition has been filed, *inter alia*, seeking a writ of *mandamus* directing the respondents to release the excess amount of ₹1,41,760 deducted from the gratuity along with interest; and also the amount of ₹29,396 along with interest which the petitioner was forced to deposit due to wrong calculation by the respondents.

2. Learned counsel for the petitioner submits that grievance raised herein is pending for appropriate decision before the respondents. At this stage, the petitioner will be satisfied in case respondent No.2 is directed to decide the pending representation, dated 19.08.2024, Annexure P-16, in a specified period. He also contends that the petitioner will make separate representation to the respondents concerning his claim for removing anomaly in Grade Pay, and liberty may be granted for the purpose.

3. Notice of motion.

4. Ms. Tanushree Gupta, DAG, Haryana, accepts notice and submits that the pending representation shall be decided by respondent No.2 expeditiously.
5. In view thereof, without going into merits of the case, the petition is disposed of with a direction to respondent No.2/Director Secondary Education, to consider and decide the pending representation, dated 19.08.2024, by passing a speaking order in accordance with law, within a period of three months from the date of receiving a certified copy of this order. In case the petitioner is found entitled to the benefits claimed, the same shall be released to him within a period of six weeks therefrom. Further, the petitioner shall be at liberty to make a separate representation to the respondents concerning his claim for the Grade Pay or any other related issue.
6. In case the order is not passed within the stipulated period, the officer concerned shall pay costs of ₹50,000 to the petitioner.

22.10.2024

Payal

Whether speaking/reasoned

Whether reportable

Yes/No

Yes/No

(TRIBHUVAN DAHIYA)

JUDGE