

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

138

CWP-201-2024  
Date of Decision: 08.01.2024

Rakesh Kumar ...Petitioner(s)

Versus

State of Haryana and others ...Respondent(s)

CORAM: HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA

Present:- Mr. Ram Pal Verma, Advocate for the petitioner

Ms. Tanushree Gupta, DAG, Haryana

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TRIBHUVAN DAHIYA, J. (Oral)

This petition has been filed, *inter alia*, seeking a writ of *mandamus* directing the respondents to count his workcharge service followed by regular service from September 1991 to 31.01.1996 for grant of retiral benefits and to revise his pension after granting him the benefit of workcharge service and to release the arrears of pension and gratuity with eighteen per cent interest per annum from the date of his retirement.

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 legal notice, dated 12.09.2023, Annexure P-4, in a specified period.

3. Notice of motion.
4. Ms. Tanushree Gupta, DAG, Haryana, appearing on advance notice, submits that the pending legal notice 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/Chief Engineer, PWD (B&R), Sector-19, Chandigarh, to consider and decide the pending legal notice dated 12.09.2023, by passing a speaking order, keeping in view the law laid down in *Kanta Devi v. State of Haryana and others*; CWP-5223-2018 passed by this Court on 29.11.2022, within a period of two months from the date of receiving a certified copy of this order.
6. In case the order is not passed within the stipulated period, the officer concerned shall pay costs of ₹25,000 to the petitioner.

(TRIBHUVAN DAHIYA)  
JUDGE

08.01.2024  
Payal

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| <i>Whether speaking/reasoned</i> | <i>Yes/No</i> |
| <i>Whether reportable</i>        | <i>Yes/No</i> |