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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-33197-2024(O&M)

Date of decision: 10.12.2024

Chhatar Pal Sharma

...Petitioner

VERSUS

Dakshin Haryana Bijli Vitran Nigam and others

...Respondents

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present:- Mr.B.K. Bagri, Advocate for the petitioner.

JASGURPREET SINGH PURI, J. (Oral)

1. The present writ petition has been filed under Articles 226/227 of the Constitution of India seeking issuance of a writ in the nature of *mandamus* directing the respondents to step up the pay of the petitioner having seniority No.3437 as equal to his Juniors i.e. Vir Bhan having Seniority No.3899, Narender having Seniority No.3969 and Umesh Kumar having Seniority No.3621 of LM for the period 01.04.2007 to 30.09.2012 and 3rd ACP in parity with his junior namely Umesh Kumar appointed as ALM on 24.10.1997, promoted as LM on 30.06.2012, AFM on 01.09.2002 whereas the petitioner was promoted as ALM on 04.05.1997, LM on 01.02.2010 and AFM on 16.09.2019. After stepping up of the pay and grant of 3rd ACP the pay/pension be revised in the pay scale of Rs.9300-34800 with GP Rs.3600/- and Rs.4000/- merged with GP Rs.4200/- w.e.f. 01.01.2016 with all consequential



benefits. Further, petitioner seeks counting of his entire daily wage service from 05.11.1985 to 06.05.1993 for the purpose of retiral benefits, along with arrears and interest at the rate of 12% per annum .

2. Learned counsel appearing on behalf of the petitioner submitted that the petitioner had filed a legal notice dated 16.10.2024 (Annexure P-23) to the respondents but the same has not been considered and decided till date. He further submitted that at this stage, he will be satisfied in case the aforesaid representation dated 16.10.2024 (Annexure P-23) is considered and decided by the respondents in accordance with law and in a time bound manner.

3. Notice of motion.

4. On the asking of the Court, Ms. Rajni Gupta, learned Additional Advocate General, 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 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 the respondents/any other competent authority to consider and decide the legal notice dated 16.10.2024 (Annexure P-23) strictly in accordance with law and within a period of three months from today.

(JASGURPREET SINGH PURI)
JUDGE

10.12.2024
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Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No