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**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

**CWP-24577-2025 (O&M)
Date of decision: 25.08.2025**

Shiv Kumar

... Petitioner

Vs.

The Punjab State Power Corporation Ltd. and others

... Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Nikhil Anand, Advocate
for the petitioner.

HARPREET SINGH BRAR, J. (ORAL)

1. Present civil writ petition has been filed under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of *certiorari* seeking quashing of the order dated 07.12.2023 (Annexure P-8) passed by respondent No.2, vide which pay and allowances for the delayed period of appointment i.e. 18.02.2021 to 19.08.2021 have been denied and further to issue a writ in the nature of *mandamus* directing the respondents to grant the pay and allowances for the aforesaid period and also to consider and decide the legal notice dated 11.02.2024 (Annexure P-10) in a time bound manner.
2. Learned counsel for the petitioner submits that principle of 'No

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Work, No Pay' would not be applicable in the case of the petitioner, as he was willing to work, however, he was kept out of service from 18.02.2021 to 19.08.2021 because of the fault attributable to administrative action of the respondents/employer. As such, case of the petitioner is squarely covered by the judgments rendered by the Hon'ble Supreme Court in ***Ramesh Kumar Vs. Union of India and others, (2015) 14 SCC 335, Union of India and others Vs. KV Jankiraman, (119) 4 SCC 109, Deepali Gundu Surwase Vs. Kranti Junior Adhyapak Mahavidyala (D.Ed.) and others, passed in Civil Appeal No.6767 of 2013*** and judgment of the Calcutta High Court passed in ***FMA No.1235 of 2024 (Pamavathi Sakkinala Vs. The State of West Bengal and others)***.

3. Learned counsel for the petitioner submits that at this stage, the petitioner would be satisfied if the legal notice dated 11.02.2024 (Annexure P-10) submitted by him is decided by respondent No.1 by passing a speaking order, after affording an opportunity of hearing, in a time bound manner.

4. Notice of motion.

5. Ms. Raina Sabharwal Thakur, Advocate appears on behalf of the respondents and files Memorandum of Appearance in the Court today, which is taken on record. Registry is directed to tag the same at the appropriate place of the case file. She has no objection, in case a direction is issued to respondent No.1 to consider and decide the legal notice dated 11.02.2024

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(Annexure P-10) in a time bound manner, by passing a speaking order.

6. In view of the limited prayer made by learned counsel for the petitioner, present petition is disposed of and respondent No.1 is directed to consider and decide the legal notice dated 11.02.2024 (Annexure P-10) in terms of the judgments passed the Hon'ble Supreme Court in **Ramesh Kumar's** case (*supra*), **KV Jankiraman's** case (*supra*) and **Deepali Gundu Surwase's** case (*supra*) as well as by the Calcutta High Court in **Pamavathi Sakkinala's** case (*supra*) and pass a speaking order, after affording an opportunity of hearing to the petitioner, within a period of three months from the date of receipt of certified copy of this order.

7. Further, the decision taken on the legal notice dated 11.02.2024 (Annexure P-10) shall be conveyed to the petitioner.

8. Needless to say, if the petitioner is found entitled to the relief sought, the same be granted to him forthwith by the competent authority.

25.08.2025
vishnu

[HARPREET SINGH BRAR]
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No