

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

Civil Writ Petition No.11616 of 2015

Date of decision: 10.8.2015

Nirmal Singh and others

... Petitioners

Versus

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE RAJIV NARAIN RAINA

Present: Mr.Simranjeet Singh Sarwara, Advocate,
for the petitioners.

1. To be referred to the Reporters or not?
2. Whether the judgment should be reported in the Digest?

RAJIV NARAIN RAINA, J. (Oral)

The petitioners have approached this Court yet again against inaction of the Government in not deciding his case for grant of benefit of second national emergency i.e., from 3.12.1971 to 25.3.1977 in terms of the Punjab Government National Emergency (Concessions) Rules, 1965 read with notification dated 15.10.2009 [P-2].

Learned counsel for the petitioner would be satisfied if a direction is issued to respondent No.2 to consider and decide his representation [P-5] in the light of the decisions rendered in CWP No.6580 of 2013 decided on 8.4.2013 [P-7].

The request appears to be fair inasmuch as the rights of the petitioner deserve to be declared with respect to the prayer made in the first

petition and in the representation pending before the Government.

Accordingly, a direction is issued to respondent No.2 to consider and decide the representation [P-5] within two months from the date of receipt of a certified copy of this order. In making the decision, the competent authority would pay due regard to the pleadings in the present writ petition which will be read as a supplement to the representation since a lot of effort must have gone in its making focussing the issues involved in decision making. It is expected that in case a decision adverse to the petitioner is to be taken, he would be heard before any orders are passed which needless to say would be speaking.

The petition stands disposed of with the above directions.

(RAJIV NARAIN RAINA)
JUDGE

August 10, 2015

Paritosh Kumar