

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

CWP-26816-2015

Date of Decision: 22.12.2015

Smt. Birma Devi

---Petitioner

Vs.

State of Haryana and others

-----Respondents

CORAM: HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

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Present: Mr. Yash Paul Khullar Advocate
for the petitioner.

HARINDER SINGH SIDHU, J.

The petitioner's husband namely Sher Singh working as Safai Karamchari in the respondent corporation alongwith similarly situated Safai Karamcharis had filed CWP No. 11789 of 1997 praying for directions to respondent-corporation to regularise their services. It was pleaded that the petitioners have been working on daily wages since the year 1990 and hence they are entitled for the said relief.

The aforesaid writ petition was disposed of vide order dated 12.12.2011 with a direction to the respondents to pass a speaking order within a period of three weeks in the light of the observations made in an earlier Writ Petition No. 2204 of 2010. The respondents were also burdened with costs of Rs.50,000/-.

Pursuant to the aforesaid directions, order dated 10.4.2012 (Annexure P-2) was passed whereby 14 petitioners of CWP No.11789 of 1997 were regularied with effect from 18.10.1996. However, no order was passed qua the husband of the

petitioner as he died on 13.12.2002, during the pendency of the aforesaid writ petition.

The petitioner has been repeatedly representing to the respondents that her husband was party in that writ petition and the order passed therein would enure to his benefit even though he had died and he cannot be denied similar relief alongwith consequential benefits. However, no decision has been taken thereon.

Learned counsel for the petitioner states that at this stage he would be satisfied if a direction is issued to respondent No.3 to take a decision on the claim of the petitioner as contained in representation dated 15.09.2014(Annexure P-3) .

Without commenting on the merits of the case, this writ petition is disposed of with a direction to respondent No.3 to take a decision on the claim of the petitioner as contained in representation dated 15.09.2014 (Annexure P-3) expeditiously, preferably within a period of three months from the date of receipt of certified copy of this order.

22.12.2015
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(Harinder Singh Sidhu)
Judge