

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

CWP No.3530 of 2015

Date of decision:26.02.2015

Inder Pal & others

... Petitioners

Vs.

State of Haryana & others

... Respondents

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA.

Present: Mr. D.R. Kaith, Advocate for the petitioners.

....

TEJINDER SINGH DHINDSA, J.

It is pleaded that the petitioners were appointed as Drivers under the Haryana Transport Department on contractual basis in the year 1993. Services of the petitioners were regularized by passing of orders in 1998 but w.e.f. 1995 i.e. upon completion of two years of service on contractual basis.

Claim set up in the instant writ petition is for the grant of over time allowance pertaining to the period 01.01.1996 to 31.12.1997.

Counsel would argue that identical claim was raised by the colleagues of the petitioners before the labour Court and which was upheld. CWP No.15807 of 2008 having been preferred by the State, the same was dismissed thereby upholding the award passed by the labour Court. Thereafter, even LPA No.858 of 2009 was filed but was dismissed on 23.03.2011. Counsel would even refer to memo dated 26.04.2013 at Annexure P-6 issued by the Director General, State Transport Haryana, whereby the benefit of over time allowance was generalized. It is contended that inspite thereof, the requisite benefit of over time allowance has not been released to the petitioners till date.

In view of the facts notice herein above, I deem it appropriate to dispose of the present writ petition with a direction to respondents No.2 & 3 to consider the claim of the petitioners and to take a final decision on the legal notice dated 14.11.2014 at Annexure P-7 strictly in accordance with law and by passing a speaking order within a period of three months from the date of receipt of a certified copy of this order.

Disposed of.

26.02.2015

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**