

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

CWP No.5012 of 2015
Date of decision: 19.03.2015

Sukhmandar Singh

... Petitioner

Versus

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE ARUN PALLI

Present: Mr. Manmeet Singh Rana, Advocate,
for the petitioner.

1. Whether reporters of local papers may be allowed to see the judgment?
2. To be referred to the reporters or not?
3. Whether the judgment should be reported in the digest?

ARUN PALLI J. (Oral)

Writ in the nature of mandamus is prayed for, directing respondent No.2 to take a final decision on the representation i.e. purported to have been made on 09.12.2013 and is pending consideration. And consequently, respondent No.2 be directed to grant seniority to the petitioner from the date of his induction in service i.e. 08.12.1981. It is averred that the petitioner was appointed as Conductor on regular basis on 08.12.1981, though his seniority was fixed w.e.f. 15.10.1986. It is maintained that the similarly circumstanced co-employee i.e. Pargat Singh, Conductor No.80, Punjab Roadways, Patti had also represented to

respondent No.1, and he has been extended the benefit of his past service. Likewise, Beant Singh, Conductor, Punjab Roadways, Patti, had approached this court vide CWP-16448-2014, which was disposed of with a direction to the respondents to take a final decision on his representation. And, pursuant to the order passed by this court, even Beant Singh has been granted seniority from the date of his initial appointment. But, despite that being so, it is maintained, that the representation made by the petitioner i.e. dated 09.12.2013 (Annexure P1) has not been heeded to. Further, prior to the institution of this petition, respondent No.2 was even served upon with a legal notice dated 23.06.2014 (Annexure P2), but that too has failed to evoke any response.

Learned counsel for the petitioner submits that let this petition, at this stage, be disposed of with a direction to respondent No.2 to consider and decide his representation (Annexure P1) and notice (Annexure P2) within a stipulated period of time.

That being so, and without expressing any opinion on merits, this petition is disposed of with a direction to respondent No.2 to consider and decide the claim of the petitioner, as set out in the notice dated 23.06.2014 (Annexure P2), strictly in accordance with law, within a period of three months from the date of receipt of certified copy of this order.

Needless to assert, a comprehensive order shall be passed,
assigning reasons in support of the decision arrived at.

March 19, 2015
Rajan

(Arun Palli)
Judge