

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CWP No.12194 of 2016
Date of Decision: 04.07.2016

Som Dutt and others

... Petitioners

Versus

State of Haryana and others

... Respondents

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

Present:- Mr. Chirag Kundu, Advocate,
for the petitioners.

TEJINDER SINGH DHINDSA, J.(ORAL)

Petitioners are working as Conductors under the Haryana Roadways (Sonapat Depot).

Claim set up in the present petition is for grant of over time allowance for the period 01.06.2012 to 31.12.2012.

Counsel would submit that the claim for over time allowance would be covered under Sections 103 and 26 of the Motor Transport Act, 1961. It has further been contended that identical claim of similarly situated Conductors as also Drivers was considered by this Court in ***CWP No.15807 of 2008 titled as The General Manager, Haryana Roadways, Chandigarh Vs. Azad Singh and others*** and the same was allowed vide judgment dated 05.03.2009 at Annexure P-1. Such judgment has thereafter been affirmed by Letters Patent Bench vide order dated 23.03.2011 in LPA No.858 of 2009 and other connected LPAs at Annexure P-2.

Without making any observations on merit and without ascertaining the correctness of the averments made in the petition, I deem it appropriate to dispose of the present petition with a direction to respondent

No.3/competent authority to consider the claim of the petitioners in the light of legal notice dated 21.07.2015 (Annexure P-4) that is stated to have already been served.

Let a final decision be taken on the legal notice dated 21.07.2015 (Annexure P-4) within a period of four months from the date of receipt of a certified copy of this order.

Disposed of.

04.07.2016

vandana

(TEJINDER SINGH DHINDSA)
JUDGE