

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

C.W.P. No. 17425 of 2016

Date of Decision:- 30.09.2016

Darshan Kumar

....Petitioner

vs.

State of Punjab and others

....Respondents

CORAM:- HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present:- Mr. Arvind Kashyap, Advocate,
for the petitioner.

DAYA CHAUDHARY, J. (Oral)

The claim of the petitioner in the present petition is that the case of the petitioner is squarely covered by a Division Bench judgment of this Court passed in **CWP No. 2371 of 2010** titled as **Harbans Lal vs. The State of Punjab and others**, decided on 31.8.2010.

Learned counsel for the petitioner submits that the petitioner has served a legal notice dated 30.5.2016 (Annexure P-3) but still his case has not been considered. Learned counsel further submits that similarly situated employees have been granted benefit of the past service and petitioner would be satisfied in case the directions are issued to the respondents to consider his case in the ratio of judgment passed in **Harbans Lal's case (supra)**.

Keeping in view the limited prayer of the petitioner and also the fact that controversy in hand has already been decided in **Harbans Lal's case (supra)** as well as the fact that subsequently several writ petitions

were filed by many employees which were also disposed of by the ratio of the aforesaid judgment, the present petition is disposed of with a direction to respondent No.2 to consider the case of the petitioner in view of judgment passed in **Harbans Lal's case (supra)** within a period of three months from the date of receipt of certified copy of the order. In case, the petitioner is found to be entitled for the relief as sought in the legal notice, the same be granted to him within a period of two months thereafter. In case the petitioner is still aggrieved by the action of the respondents, he is at liberty to avail the appropriate remedy.

Disposed of.

September 30, 2016
poonam

(DAYA CHAUDHARY)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No