

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

**C.W.P. No. 19127 of 2016
Date of Decision:- 19.09.2016**

INDER PAL SINGH & ANR.

....Petitioners

VS.

STATE OF PUNJAB & ORS.

....Respondents

CORAM:- HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present:- Mr. Kapil Kakkar, Advocate,
for the petitioners.

DAYA CHAUDHARY, J. (Oral)

Learned counsel for the petitioners submits that in view of affidavit filed before this Court in LPA No. 18 of 2010 titled as **Jagmail Singh vs. State of Punjab and others**, decided on 17.9.2010, the petitioners were posted till the regular appointments are made in accordance with rules which required that the appointments should be made by way of direct appointment and not by any other mode such as transfer or promotion, however, no regular appointments have been made. Subsequently, the orders have been passed at the instance of concerned Ministry for posting of some other persons i.e. respondents No.6 and 7 in the petition in place of the petitioners. A legal notice dated 4.8.2016 was also served upon the respondents as the appointment of respondents No.6 and 7 was contrary to the undertaking given by way of affidavit in the aforesaid LPA, but no action has been taken thereupon so far.

Learned counsel for the petitioners submits that neither any order has been passed nor the averment made in the affidavit has been followed. Petitioners would be satisfied in case the directions are issued by this Court to consider the legal notice dated 4.8.2016 (Annexure P-6).

Without commenting anything on the merits of the case and keeping in view the submissions made by learned counsel for the petitioners, the present petition is disposed of with a direction to respondent No.1 to consider the legal notice dated 4.8.2016 (Annexure P-6) and pass necessary orders in accordance with law within a period of four weeks from the date of receipt of certified copy of the order of this Court.

September 19, 2016
poonam

(DAYA CHAUDHARY)
JUDGE

Whether speaking/reasoned

Yes

Whether reportable

Yes