

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

**CWP No.19962 of 2016
Date of decision: 07.10.2016**

Sukhwinder Singh and others

..Petitioners

Versus

State of Punjab and others

..Respondents

CORAM: HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present: Mr. P.K. Goklaney, Advocate
for the petitioners.

Daya Chaudhary, J. (Oral)

This petition has been filed under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of *mandamus* directing the respondents to count the entire daily wage service of the petitioners rendered by them before regularization for pensionary benefits as similarly situated employees have been granted benefits by relying upon the judgment of Division Bench of this Court rendered in ***CWP No.2371 of 2010*** titled as ***Harbans Lal vs. The State of Punjab and others***, decided on ***31.08.2010***.

Learned counsel for the petitioners submits that the said judgment has attained finality as SLP and the review filed by State have also been dismissed. Learned counsel also submits that the petitioners served a legal notice (Annexure P-12) upon the respondent authorities but no action has been taken thereupon so far.

Notice of motion.

On the asking of the Court, Mr. R.S. Sidhu, A.A.G., Punjab, who is present in the Court, accepts notice on behalf of respondent-State.

Keeping in view the limited prayer of the petitioners and also the fact that the matter has already been settled and similarly situated employees have been granted the benefit, the present petition is disposed of with a direction to respondent No.3 to decide the legal notice dated 03.08.2016 (Annexure P-12) within a period of three months from the date of receipt of certified copy of this order.

In case, the petitioners are found to be entitled for the relief claimed in the representation, the same be granted within a period of three months thereafter and in case, any adverse order is to be passed then a speaking order with reasons be passed.

The petition is disposed of accordingly.

07.10.2016
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(DAYA CHAUDHARY)
JUDGE

Whether speaking/reasoned

√
Yes/No

Whether Reportable

√
Yes/No