

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Civil Writ Petition No.6523 of 2016

Date of decision: 6.4.2016

Netar Singh and others

...Petitioners

Versus

The State of Punjab and others

...Respondents

CORAM: HON'BLE MR.JUSTICE G.S.SANDHAWALIA

Present: Mr. Sandeep Walia, Advocate for
Mr. R.K.Arora, Advocate for the petitioners.

G.S.SANDHAWALIA, J. (Oral)

The petitioners seek the benefit of the Division Bench judgment of this Court in **Harbans Lal Vs. The State of Punjab & others 2012 (3) SCT 362** which has been upheld by the Apex Court and the review has also been dismissed on 04.11.2015.

It is the case of the petitioners that they had joined the respondent-Department between the years 1989 to 1996 and were regularized on the posts of Pump Operators between 2007 to 2015. The details of joining and regularization are given in Annexure P1. It is submitted that in view of the judgment of Harbans Lal's case (supra), they were entitled for the pensionary benefits, as applicable to the employees recruited prior to the year 2004.

Counsel submits that notice of demand for justice has already been served upon the respondents on 20.10.2015 (Annexure P11) and he would be satisfied if the same is decided within a fixed time-frame.

Notice of motion.

Mr.R.S.Sidhu, AAG, Punjab accepts notice on behalf of the respondents. Copy of the paper book has been supplied to him.

Keeping in view the limited relief sought, this Court does not

feel it necessary to ask the respondents to file reply.

Counsel for the State has however pointed out that legal notice has been served upon respondents only on behalf of petitioner no.1.

In such circumstances, let the writ petition be treated as representation on behalf of all the petitioners and issue which has been raised in the legal notice be treated as demand on behalf of all the petitioners.

Accordingly, without commenting upon the merits of the case, the present writ petition is disposed of, with a direction to respondent No.2 to decide the legal notice dated 20.11.2015 (Annexure P11)/writ petition which is ordered to be treated as representation on behalf of the other petitioners, within a period of 3 months from the receipt of a certified copy of this order. In case the benefits are to be denied, a speaking order be passed and the same be conveyed to the petitioners.

April 06, 2016
Pka

(G.S.SANDHAWALIA)
Judge