

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

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**CWP No.16275 of 2017
Date of decision: 26.07.2017**

Puran Mal & others

....Petitioners

Versus

State of Haryana & others

...Respondents

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

Present: Mr.S.K.Malik, Advocate, for the petitioners.

G.S. SANDHAWALIA, J. (Oral)

Petitioners seek regularization w.e.f. 19.11.2003 and 22.11.2003, i.e., the date when the juniors have been regularized and for further direction to the respondents for releasing all consequential benefits.

It is the case of the petitioners that they were engaged as Class-IV part-time employees, in various capacities, in the Education Department, between the period ranging from the year 1987 to 2000 (Annexure P-1). The petitioners were regularized vide regularization order dated 11.04.2012 and 31.08.2012 (Annexure P-10 Colly) and their grouse is that those who joined subsequently, have been regularized at prior point of time. Reference has been made to the regularization order dated 17.10.2013 (Annexure P-1A) in that context, to contend that Sombir Singh and Bajrang Lal, were junior to the petitioners having been appointed in 2001 and 2000. It is further submitted that a legal notice has already been served upon the respondents on 16.03.2017 (Annexure P-7) for the said relief, but the same has not been decided.

Counsel further submits that he would be satisfied if a direction is issued to the respondents to decide the said legal notice, within a fixed time-frame.

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Notice of motion.

Ms.Shruti Jain Goyal, AAG, Haryana accepts notice on behalf of the respondents. Copy of the paperbook has been supplied to him.

Without commenting upon the merits of the case or the entitlement of the petitioners for the abovesaid relief and keeping in view the fact that the matter is still pending consideration, the present writ petition is disposed of, with direction to respondent No.2 to take a decision on the legal notice dated 16.03.2017 (Annexure P-7), within a period of 3 months from the date of receipt of certified copy of the order. Needless to say if the benefit is to be declined, a reasoned order be passed and the same be conveyed to the petitioners. It is made clear that in view of the decision, if any adverse action is to be taken against the private-respondents No.4 & 5, they would, accordingly, be issued notice before withdrawal of any benefits.

26.07.2017

Sailesh

**(G.S. SANDHAWALIA)
JUDGE**

Whether speaking/reasoned: *Yes/No*

Whether Reportable: *Yes/No*