

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

CWP No. 16699 of 2017 (O & M)

Date of decision: 29.08.2017

Sita Ram and another

....Petitioner(s)

Versus

State of Haryana and others

...Respondent(s)

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

Present: Mr. Sunil Kumar Bhardwaj, Advocate,
for the petitioners.

G.S.SANDHAWALIA, J. (Oral)

C.M. No. 11794-CWP of 2017

The present application has been filed under Order 1 Rule 10 CPC for impleading respondents no. 5 and 6, the Managing Directors of the Nigams as party to the writ petition.

In view of the averments made in the application, the same is allowed.

Respondents no. 5 and 6 are impleaded as party to the writ petition.

Amended Memo of Parties is taken on record.

CWP No. 16699 of 2017

The petitioners seek the benefit of the past service rendered by them with the Haryana State Minor Irrigation & Tubewell Corporation, Haryana (HSMITC) from the date of their initial appointment and till the abolition of the said Corporation i.e. 30.06.2002, towards pay/pension/retiral benefits. The relief is claimed on the basis of orders passed in ***CWP-26716-2014 Nathu Singh Vs. State of Haryana and others*** on 27.09.2016 (Annexure P-5).

It is the case of the petitioners that they had been appointed as Class-IV employees between 01.04.1984 to 01.09.1984, details of which are mentioned in Annexure P-3 and worked from then till 2002 and were

thereafter retrenched. They were subsequently absorbed as Class-IV employees in respondents no. 5 and 6-Nigams.

Counsel submits that he would be satisfied at this stage, since no action has been taken on the representation dated 12.03.2017 (Annexure P-4), if respondent nos. 5 and 6 take a decision on the said representation.

Without commenting upon the merits of the case and the entitlement of the petitioners as to whether the petitioners are entitled for the said benefits and keeping in mind the matter is still pending for consideration of the present petitioners, the present writ petition is disposed of with the direction to respondents no. 5 and 6 to take a decision on the said representation. Respondents no. 5 and 6 shall decide the claim raised in the representation dated 12.03.2017 (Annexure P-4) within a period of 3 months from the receipt of the certified copy of this order, keeping in mind the order passed in *Nathu Singh's case (supra)*.

Needless to say that, in case, the relief is to be denied, then a speaking order be passed and be conveyed to the petitioners.

29.08.2017
shivani

(G.S. SANDHAWALIA)
JUDGE

Whether reasoned/speaking

Yes/No

Whether reportable

Yes/No