

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

CWP No. 23366 of 2017
Date of decision: 12.10.2017

Devender Kumar and others

....Petitioner(s)

Versus

State of Haryana and others

...Respondent(s)

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

Present: Mr. Bishan Dass Rana, Advocate,
for the petitioners.

G.S.SANDHAWALIA, J. (Oral)

The petitioners seek directions for considering their case for regularization as per the legal notice dated 07.08.2017 (Annexure P-7) by passing a speaking order within a stipulated period.

It has been averred that the petitioners have not been regularized prior or on the date their juniors had been regularized as per the seniority list and first joining date. In principle, the demand is for regularization w.e.f. 01.04.2011 as it is the case of the petitioners that they have now been regularized in August, 2014 (Annexure P-2/T colly). It is their case that their appointments are ranging from period from 01.04.1994 to 01.05.2003, the details of which are given in the legal notice itself. The juniors who were appointed namely Nafe Singh on 01.03.2003 and Nehru Singh on 16.12.2003 have been regularized w.e.f. 01.04.2011 vide order dated 30.11.2012 (Annexure P-4). Reference is also made to the order dated 19.05.2017 (Annexure P-6) wherein, respondent no. 2 also granted the said benefits to other similarly situated persons in pursuance of the orders

passed in *CWP No. 14131 of 2015, Mukesh Kumar vs. State of Haryana and others* and *CWP No. 18296 of 2014, Sanjay and others vs. State of Haryana and others*, decided on 04.09.2014.

Accordingly, counsel for the petitioners submits that he would be satisfied if the legal notice dated 07.08.2017 (Annexure P-7) is decided within a time bound frame.

Notice of motion.

Ms. Shruti Jain Goyal, AAG Haryana accepts notice. Copy of the writ petition has been supplied to her.

Keeping in view the above, this Court is of the opinion that no useful purpose would be served to ask the respondents to file reply as the decision making process is still pending.

Accordingly, without commenting on 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 a direction to the competent authority to take a decision on the legal notice dated 07.08.2017 (Annexure P-7) within a period of 4 months from the date of receipt of certified copy of the order. In case any adverse order is to be passed, a reasoned order be passed and conveyed to the petitioners.

12.10.2017
shivani

(G.S. SANDHAWALIA)
JUDGE

Whether reasoned/speaking

Yes/No

Whether reportable

Yes/No