

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

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**CWP No.26032 of 2017
Date of decision: 22.11.2017**

Nand Kishor & others

....Petitioners

Versus

State of Haryana & others

...Respondents

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

Present: Mr.Gaurav Sharma, Advocate, for
Mr.Praveen Bhardwaj, Advocate, for the petitioners.

G.S. SANDHAWALIA, J. (Oral)

Petitioners seek writ of mandamus, directing the respondents to pay them minimum of the pay-scale, revised from time to time, as being paid to the similarly placed regular employees. The arrears for a period of 3 years prior to the date of filing the writ petition are also claimed.

Petitioners, who are 21 in number, claim themselves to be daily wagers working as Mali-cum-Chowkidar, Plumber, Helper and Fitter Coolie, with the respondent-State, with the Department of Public Health at Jind. The claim is based on the judgment of the Apex Court in **State of Punjab & others Vs. Jagjit Singh & others 2016 (4) SCT 641** (Annexure P-2).

Counsel submits that representation dated 25.01.2017 (Annexure P-4) for the above-said demand has already been made to the respondents, which is pending consideration. It is further submitted that the petitioners would be satisfied if the same is decided within a fixed time-frame.

Notice of motion.

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

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Keeping in view the fact that the respondents are yet to take a decision on the said representation, this Court is of the opinion that no useful purpose would be served by calling upon the respondents to file reply.

Accordingly, in view of the above, the present writ petition is disposed of, with a direction to respondent No.2 to decide the representation dated 25.01.2017 (Annexure P-4) within a period of 3 months from the receipt of a certified copy of this order. In case the necessary relief is admissible, in the facts and circumstances, payment shall be made, accordingly. In case the amount as claimed is to be denied, a reasoned order be passed and be conveyed to the petitioners.

22.11.2017
Sailesh

(G.S. SANDHAWALIA)
JUDGE

Whether speaking/reasoned: *Yes/No*

Whether Reportable: *Yes/No*