

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

CWP No.26428 of 2017

Date of Decision: 22.11.2017

Shri Pal and others

....Petitioners

Versus

State of Punjab and others

....Respondents

BEFORE :- HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present:- Mr. Pawan Kumar Goklaney, Advocate
for the petitioners.

DAYA CHAUDHARY, J. (ORAL)

The present writ petition has been filed for issuance of a writ in the nature of *mandamus* directing the respondents to count the entire daily wage service rendered by the petitioners for the purpose of pensionary benefits.

Learned counsel for the petitioners submits that the case of the petitioners is squarely covered by decision rendered in ***CWP No.2371 of 2010*** titled as ***Harbans Lal vs State of Punjab and others***, decided on ***31.08.2010***. Thereafter, SLP filed against the said judgment was also dismissed by Hon'ble the Apex Court.

Learned counsel for the petitioners submits that a legal notice dated 29.08.2017 (Annexure P-12) was also served upon the respondents but no action has been taken thereupon so far. Learned counsel further submits that the petitioners would be satisfied, in case, the directions are issued to respondent No.2 to consider the legal notice in view of ***Harbans***

Lal's case (supra).

Keeping in view the submissions made by learned counsel for the petitioners and without issuing notice to the respondents, the present petition is disposed of with a direction to respondent No.2 to consider the case of the petitioners in view of **Harbans Lal's** case (supra) and relevant instructions/rules and pass necessary orders in accordance with law within a period of two months from the date of receipt of certified copy of this order.

However, in case, the petitioners are found to be entitled for the relief sought for in the petition/legal notice, the same be granted to them within a period of three months thereafter and in case, the petitioners are still aggrieved in any manner, they are at liberty to avail the appropriate remedy.

The petition is disposed of accordingly.

(DAYA CHAUDHARY)
JUDGE

22.11.2017
gurpreet

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No