

128 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-14406-2018

Date of decision-31.05.2018

Ashok Kumar

...Petitioner

Vs.

State of Punjab and others

...Respondents

CORAM:- HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Sandeep Kumar, Advocate for the petitioner.

JITENDRA CHAUHAN, J. (Oral)

This writ petition under Articles 226/227 of the Constitution of India has been filed for the issuance of a writ, in the nature of mandamus directing the respondents to consider the claim of the petitioner for regularization as Bill Clerk in view of the regularization policy/instructions dated 15.12.2006 (Annexure P-1) and 18.03.2011 (Annexure P-2).

Learned counsel for the petitioner states that case of the petitioner is covered by Policy and Instructions dated 15.12.2006 and 18.03.2011 (Annexures P-1 and 2, respectively) and by a judgment rendered by Hon'ble the Supreme Court in Civil Appeal No.213 of 2013, titled as **“State of Punjab and others Vs. Jagjit Singh and others” 2016 (4) SCT 641** (Annexure P-5). Further, he states that at this stage he would be satisfied, if a direction is issued to respondent No.1-Secretary, Water Supply & Sanitation Department, Punjab, Mini Secretariat, Sector-9, Chandigarh to consider and decide the legal notice dated 03.02.2018 (Annexure P-6) in

view of Annexures P-1, P-2 and P-5.

Heard.

In view of the above, without adverting to the merits of the case, the present petition is disposed of with a direction to respondent No.1- Secretary, Water Supply & Sanitation Department, Punjab, Mini Secretariat, Sector-9, Chandigarh to consider and decide the legal notice dated 03.02.2018 (Annexure P-6) in view of Annexures P-1, P-2 and P-5 within six weeks from the receipt of the certified copy of the order. In case, on consideration, the competent authority reaches to the conclusion that the benefit claimed by the petitioner is admissible to him, in such eventuality, the consequential relief be allowed to him, within a period of six weeks thereafter. However, in case the competent authority feels that the relief claimed by the petitioner is not admissible to him or made out, in that case, a speaking order be passed in the matter.

(JITENDRA CHAUHAN)
JUDGE

31.05.2018

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Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No