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

CWP-22224-2016

Date of decision-30.05.2018

Balwinder Singh

...Petitioner

Vs.

State of Punjab and others

...Respondents

CORAM:- HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Akshay Sandhir, Advocate for
Mr. V.K.Sandhir, Advocate for the petitioner.

Ms. Sunint Kaur, AAG, Punjab.

Mr. Sanjeev Soni, Advocate for respondent No.3.

Ms. Deepali Puri, Advocate.

JITENDRA CHAUHAN, J.

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 case of the petitioner for regularization of service as 'Driver' as per resolution dated 08.12.2011 (Annexure P-4) of the Municipal Corporation, Amritsar.

Mr. Karnesh Sharma, Director, Department of Local Government, Punjab states that the necessary sanction for payment of the salaries w.e.f. 19.09.2012 to 13.03.2016 has been made.

Learned counsel for respondent No.3 states that said sanction has been accorded and the salary for the period due shall be disbursed within

a week from today.

Heard.

As the substantial relief has been allowed; prayer of the petitioner for regularization be also considered in the light of resolution dated 08.12.2011 (Annexure P-4).

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.3- Commissioner, Municipal Corporation, Amritsar to consider and decide the representation dated 11.08.2016 (Annexure P-7) in the light of Annexure P-4 within twelve 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

30.05.2018

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