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

CWP-18313-2018

Date of decision-26.07.2018

Darshan Kumar

....Petitioner

Vs.

State of Punjab and others

...Respondents

CORAM:- HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. B.S.Sidhu, Advocate for the petitioner.

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 count the service rendered by the petitioner on the post of SPOs as qualifying service for the purpose of seniority for the post of Constables and all other consequential benefits.

Learned counsel for the petitioner states that case of the petitioner is covered by a judgment passed by this Court in CR-2295-2010, titled as “**Constable Rajinder Kumar Vs. State of Punjab and others**” decided on 06.09.2010 (Annexure P-5). Further he states that at this stage he would be satisfied, if a direction is issued to respondent No.2-Director General of Police, Punjab, Punjab Police Headquarters, Sector-9, Chandigarh to consider and decide the representation dated 22.02.2018 (Annexure P-7) in view of Annexure P-5.

Heard.

In view of the above, without advertng to the merits of the case, the present petition is disposed of with a direction to respondent No.2- Director General of Police, Punjab, Punjab Police Headquarters, Sector-9, Chandigarh to consider and decide the representation dated 22.02.2018 (Annexure P-7) in view of Annexure 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

26.07.2018
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Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No