

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No.18497 OF 2018
DECIDED ON: AUGUST 03, 2018

AJIT KUMAR AND OTHERS

.....PETITIONERS..

VERSUS

STATE OF PUNJAB AND OTHERS

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Baljeet Singh Sidhu, Advocate,
for the petitioners.

JASPAL SINGH, J.

Instant writ petition has been filed under Article 226/227 of the Constitution of India for issuance of a writ, in the nature of mandamus directing the respondents to count the service rendered by the petitioners on the post of SPOs as qualifying service for the purpose of seniority for the post of Constables.

2. Learned counsel for the petitioners states that case of the petitioners is identical to the case of Constable Rajinder Kumar No.75/189, who has been allowed necessary relief vide judgment passed by this Court in CR No.2295 of 2010 (O&M), titled as “*Constable Rajinder Kumar v. State of Punjab through Principal Secretary Home, Department of Home Affairs and Justice, Mini Secretariat, Punjab Chandigarh and others*”, decided on 06.09.2010

(Annexure P-5). At this juncture, learned counsel for the petitioners submits that

he feels satisfied, in case a direction is issued to respondents to consider and decide the claim of the petitioners in the light of ***Constable Rajinder Kumar's*** case (supra).

3. In view of the afore-said facts and circumstances but without expressing any opinion on the merits of the case, instant petition is disposed of with a direction to respondents to consider and decide the claim of the petitioners in the light of ***Constable Rajinder Kumar's*** case (supra) (Annexure P-5) within a period of three months from the date of receipt of certified copy of this order. In case, the competent authority comes to the conclusion that petitioners are entitled to the relief claimed through the instant petition, the same be released to them, within a period of next one month. However, in case the competent authority feels that the relief claimed by the petitioners is not admissible to them or made out, in that case, a speaking order be passed in the matter.

4. However, in case the petitioners are aggrieved by any of the order passed by the competent authority, they shall be at liberty to have recourse to other remedies available to them under law, including to approach this Court.

AUGUST 03, 2018
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(JASPAL SINGH)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes</i>
<i>Whether reportable</i>	<i>Yes/No</i>