

114

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-4033-2018

Date of decision-20.02.2018

Rakesh Kumar and others

...Petitioners

Vs.

State of Punjab and others

...Respondents

CORAM:- HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Ghulam Nabi Malik, Advocate for the petitioners.

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 allow the petitioners to perform their duties as sweepers and to release their salary which is stopped by the respondents.

Contentends that case of the petitioners is covered by Punjab Ad-hoc, Contractual, Daily Wage, Temporary Work Charged and Outsourced Employees Welfare Act, 2016 and Punjab Civil Services (Punishment and Appeal) Rules, 1970.

Learned counsel for the petitioners states that at this stage he would be satisfied, if a direction is issued to respondent No.1- Secretary, Department of Local Government, Punjab Civil Secretariat, Chandigarh to consider and decide the legal notice dated 15.12.2017 (Annexure P-3) sent by petitioner Nos.1 to 10, legal notice dated 18.12.2017 (Annexure P-4) sent by petitioner Nos.11 to 13 and representation dated 12.01.2018 (Annexure

P-5) filed by petitioner No.14.

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, Department of Local Government, Punjab Civil Secretariat, Chandigarh to consider and decide the legal notices/representation dated 15.12.2017, 18.12.2017 and 12.01.2018 (Annexures P-3, P-4 and P-5 respectively) within four 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 them, in such eventuality, the consequential relief be allowed to them, within a period of four weeks thereafter. However, in case the competent authority feels that the relief claimed by the petitioners is not admissible or made out, in that case, a speaking order be passed in the matter.

(JITENDRA CHAUHAN)
JUDGE

20.02.2018

vanita

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