

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

Sr. No.127

Civil Writ Petition No.5469 of 2018
DECIDED ON: March 07, 2018

SURAJ BHAN

..PETITIONER

VERSUS

STATE OF HARYANA AND OTHERS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Jai Bhagwan Sharma, Advocate,
for the petitioner.

JASPAL SINGH, J. (ORAL)

By virtue of the instant civil writ petition, preferred under Articles 226/227 of the Constitution of India, petitioner has sought the issuance of a writ in the nature of Mandamus directing the respondents to grant deemed date of appointment with all consequential benefits to him as that has been given to other appointed candidates in compliance of this Court order dated September 30, 2015 passed in CWP No.24527 of 2013 captioned as ***Dharam Singh vs. State of Haryana & ors.*** and grant the benefit of seniority and notional pay fixation at par with the employees who have joined their services prior to the petitioner and being junior to the petitioner as per the merit list prepared at the time of selection.

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2. At the very outset, learned counsel for the petitioner contends that a legal notice dated November 07, 2017 (P-5) was made to the respondents but till date no conscious decision has been taken so far. He further contends that he feels satisfied in case a direction is issued to respondents No.2 & 3 to decide the aforesaid legal notice (P-5) within some stipulated period.

3. Instant petition is disposed of with a direction to respondents No.2-Director General, Horticulture, Haryana, Sector 21, Panchkula and No.3-Deputy Commissioner, District Kaithal (Haryana) to consider the legal notice dated November 07, 2017 (P-5) and take a conscious decision by passing a speaking order as per rules, regulations and instructions issued by the Government from time to time as well as in the light of the judgment referred to above in para no.1 of this order, within a period of three months from the date of receipt of a certified copy of this order. In case of non compliance of this order, petitioner shall be at liberty to approach this Court.

March 07, 2018

Ankur

**(JASPAL SINGH)
JUDGE**

**Whether speaking/reasoned
Whether reportable**

**Yes
Yes/No**