

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

Sr. No.107

Civil Writ Petition No.814 of 2018
DECIDED ON: February 16, 2018

ASHU SHARMA AND OTHERS

..PETITIONERS

VERSUS

STATE OF PUNJAB AND OTHERS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Deepak Arora, Advocate,
for the petitioners.

JASPAL SINGH, J. (ORAL)

Through the instant civil writ petition, preferred under Articles 226/227 of the Constitution of India, petitioners have sought the issuance of a writ especially in the nature of Mandamus directing the respondents to grant them benefit of strike period for the purposes of regularization of their services as has been given by Punjab Irrigation Department to the persons similarly situated to that of the petitioners with effect from their dates of respective appointments done from December, 1990 onwards as per the recommendation of the Governing Council vide their letter dated 12.04.1991; as despite representations and reminders on the part of the petitioners to regularize the services with effect from their dates of respective appointments, respondents have not granted said benefits and present petitioners, are similarly situated to those employees whose writ

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petitions/claims appeared to have been adjudicated by the this Court vide CWP no.9500 of 2012 (P-9), CWP No.17904 of 2016 (P-10) and CWP No.29734 of 2017 (P-12) and issue raised in the present petition is squarely covered under said judgments/orders AND to grant interest @ 12% per annum.

2. Learned counsel for the petitioners contends that though a legal notice dated December 05, 2017 (P-11) was made to the respondents but till date neither any reply to the said legal notice has been received nor any final order has been passed by the concerned Department. Learned counsel for the petitioners further submits that they feels satisfied in case a direction is issued to respondent No.2 to decide the above said legal notice within some specified period.

3. Without expressing any opinion on the merits of the case, instant petition is disposed of with a direction to respondent No.2-The Principal Secretary, Department of Rural Development and Panchayats, Punjab, Mini Secretariat, Sector 9, Chandigarh to consider and take action on the legal notice dated December 05, 2017 (P-11) by passing a speaking order in view of the judgments referred to above in para No.1 in this order, within a period of three months from the date of receipt of a certified copy of this order. In case, petitioners still feel aggrieved by any of the orders passed by the aforesaid authority, they shall be at liberty to approach this Court.

February 16, 2018

Ankur

**(JASPAL SINGH)
JUDGE**

**Whether speaking/reasoned
Whether reportable**

**Yes
Yes/No**