

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH****Date of decision: 18.01.2018****CWP No.931 of 2018**

Surji Devi & others

...Petitioners

Vs.

State of Haryana & others

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJIV NARAIN RAINA

Present: Mr. S.K.Malik, Advocate, for the petitioners.

RAJIV NARAIN RAINA, J. (ORAL)

1. The petitioners claim antedated regularization. The petitioners have filed this petition seeking direction to the respondents to regularize their services w.e.f. 01.04.2011 with all consequential benefits for the reason that persons junior to them had been regularized earlier i.e. from 01.04.2011.

2. If this is the factual position, then a case of discrimination would arise. Since the petitioners have already agitated their grievance through a legal notice dated 15.10.2017 (Annex P-6) served on the department but orders have not been passed thereon, this petition is disposed of with a direction to the respondents to consider and decide the legal notice by passing a speaking order. In case, the claim of the petitioners is found genuine, then an office order can be issued giving them back-dated regularization.

3. However, if an adverse order is proposed, then the necessity of hearing the petitioners effectively and thereupon passing a speaking order

would arise. In the latter eventuality, the exercise be completed within six weeks from the date a certified copy of this order is placed on the table of the authority competent to pass an order.

18.01.2018
Vimal

[RAJIV NARAIN RAINA]
JUDGE

<i>Whether speaking/reasoned:</i>	<i>Yes</i>
<i>Whether Reportable:</i>	<i>No</i>