

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No. 32155 of 2018
Date of Decision: 17.12.2018

Lakhvir Singh and others

... Petitioners

Versus

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE RAJIV NARAIN RAINA

Present:- Mr. Shiv Kumar, Advocate
for the petitioners.

RAJIV NARAIN RAINA, J. (Oral)

1. Mr. Shiv Kumar, Advocate appearing for the petitioners states that this matter is covered by the decisions of this Court rendered in ***Randhir Kaur & others vs. State of Haryana & others, 2003 (2) SCT 240, Surinder Kaur & others vs. State of Punjab & others in CWP No.7464 of 2010 disposed of on 25.02.2010*** and the decision in ***CWP No.18644 of 2015 titled Gurmit Singh & others vs. State of Punjab & others*** and other connected writ petitions decided on 11.03.2016.

2. It has been directed a number of times by this Court that relief coming from law declared by the Court which rights are in *rem*, the same should be granted to all similarly situated persons, without compelling them to knock the doors of the Court. In the judgments noted above it is held repeatedly that employees are entitled to exercise preference by changing their first option in writing from 1st January, 2006 to 1st November, 2006.

3. Notice of motion.

4. On the asking of Court, Ms. Akansha, AAG, Punjab accepts

notice on behalf of the respondents. A copy of the petition has been handed over to her in Court.

5. In view of the observations made above, instead of wasting time to receive a written statement the matter being covered by judicial precedents, this petition is disposed of with a direction to the respondents to take up the legal notice dated 19.07.2018 (Annexure P-8) served by the petitioners on the respondent-authorities and take a decision thereon within a month from the date of receipt of a certified copy of this order.

6. The orders would be passed in the light of the judgments on the subject noted above. It would not be necessary to hear the petitioners in case relief is to be granted to them resulting from exercise of change of date of option. However, if for any reason an adverse order is proposed to be passed, then the petitioners would be heard and a reasoned order shall be passed with proper justification.

7. With these observations and directions, this petition stands disposed of.

(RAJIV NARAIN RAINA)
JUDGE

December 11, 2018
Sunil Devi

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