

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

(141)

CWP-7427-2019

Date of Decision: March 18, 2019

Bahal Singh and others

.. Petitioners

Versus

State of Haryana and others

.. Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Sanjay Verma, Advocate, for the petitioners.

HARSIMRAN SINGH SETHI, J.(ORAL)

In the present writ petition, the grievance of the petitioners is that vide Annexure P-12 (Colly.), the claim of the petitioners for the grant of ad-hoc relief has been rejected only on the ground that the petitioners were not parties to the CWP No.16084 of 1997, CWP No.2757 of 1998 and CWP No.4518 of 2000, wherein the similarly situated employees were granted the benefit.

Learned counsel for the petitioners argues that once a similarly situated person has been granted relief, as per the settled principle of law, the petitioners are also entitled for the grant of same relief, which is being rejected by the respondents in a totally illegal and arbitrary manner without deciding the claim of the petitioners on merits.

Notice of motion.

On asking of the Court, Mr. Charanjit Singh Bakhshi, Additional Advocate General, Haryana, present in the Court, accepts notice. Copy of the paper book has been supplied to him.

Learned counsel for the respondents very fairly states that once there is an order passed by this Court deciding the controversy on merits, the case of the other similarly situated employees is to be considered on merits and should not have been rejected on the ground that the petitioners were not parties to the earlier writ petition.

Learned counsel for the respondents states that the claim of the petitioners will be decided on merits within a period of three months keeping in view the settled principle of law.

The present writ petition is disposed of with a direction to the respondents that in case after the decision, as needs to be undertaken keeping in view the undertaking given by the learned counsel for the respondents it is found that the petitioners are entitled for any monetary benefits, the same should be released to them in accordance with law within a period of three months.

However, it is made clear that this Court expresses no opinion on merits of the case or the entitlement of the petitioners in respect of the claim raised in the present writ petition for the grant of ad-hoc relief, at this stage.

(HARSIMRAN SINGH SETHI)
JUDGE

March 18, 2019
harsha

Whether speaking/reasoned: Yes/No
Whether reportable: Yes/No