

Sr. No.102

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

**CM No.15831-CWP of 2019 in/and
CWP No.9253 of 2019 (O&M)**

Date of Decision: 29.10.2019

Rajinder Kaur

... Petitioner

Versus

State of Punjab and another

... Respondents

CORAM:- HON'BLE MR. JUSTICE ARUN MONGA

Present:- Mr. G.L.Bajaj, Advocate,
for the petitioner.

Mr. Mehardeep Singh, Additional A.G., Punjab.

ARUN MONGA, J.(ORAL)

CM No.15831-CWP of 2019

This is an application for restoration of the main case,
which was dismissed in default on 14.08.2019.

For the reasons stated in the application, the application
is allowed and main case is restored to its original number.

Main case

Petitioner herein seeks issuance of a writ in the nature
of mandamus directing the respondents to grant the benefit of
notional fixation of seniority to him from the date when the
similarly situated persons have been appointed.

2. In the premise, petitioner submitted a representation
dated 05.02.2017 (P-15) but the same has not been adverted to by

the respondents till date. Hence, the writ petition.

3. Notice of motion.

4. On advance service of the petition, Mr. Mehardeep Singh, Additional A.G., Punjab appears and accepts notice on behalf of the State.

5. Given the nature of order being passed, there is no necessity to seek return by the respondents as no further proceedings and/or pleadings are required.

6. Without commenting on the merits of the case, the writ petition is disposed of with a direction to the respondents to objectively consider the representation dated 05.02.2017 (Annexure P-15) by keeping in view the judgment of this Court rendered in ***CWP No.19832 of 2003 titled as Charan Dass Sharma Vs. State of Punjab and others decided on 09.07.2004 contained at Annexure P-12*** and also by keeping in view the contentions stated in the present writ petition by treating it as a supplementary representation and pass a speaking order, in accordance with law.

7. Let the needful be done within a period of 3 months from the date of receipt of a certified copy of this order.

8. Disposed of in above terms.

29.10.2019

vandana

**(ARUN MONGA)
JUDGE**

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No