

Sr. No.112

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

**CWP No.16160 of 2019 (O&M)
Date of Decision: 01.07.2019**

Som Raj

... Petitioner

Versus

State of Punjab and others

... Respondents

CORAM:- HON'BLE MR. JUSTICE ARUN MONGA

Present:- Mr. Rohiteshwar Singh, Advocate,
for the petitioner.

ARUN MONGA, J.(ORAL)

Learned counsel for the petitioner would argue that the petitioner has been representing to respondent No.2 for grant of benefits including the monetary consequences thereof on the basis of initial date of appointment as per decree/judgment dated 01.04.1999 (Annexure P-1) but to no avail.

2. In the circumstances, he was compelled to file a writ petition bearing CWP No.11343 of 2015, before this Court and the same was disposed of vide order/judgment dated 22.08.2016 (Annexure P-9) in the following terms:-

“Keeping in view the submissions made by learned State counsel that the representations filed by the petitioner are still pending before respondent No.2 and also the fact that all the benefits on the basis of initial date of appointment have been granted but the seniority has not been fixed so far, the present writ petition is disposed of with a direction to respondent No.2 to

consider the representations (Annexures P-6, P-8 and P-10) moved by the petitioner and take necessary action by considering the initial date of appointment in view of decision passed in civil suit as well as official order dated 17.12.2014 (Annexure P-12) by passing a speaking order within a period of three months from the date of receipt of certified copy of this order. In case, the petitioner is found entitled for the relief claimed in the representations as well as legal notice dated 05.10.2013, the same be granted to him within a period of two months thereafter. In case, any adverse order is passed, the petitioner is at liberty to avail the appropriate remedy.

Disposed of accordingly.”

3. Learned counsel for the petitioner submits that in terms of above order passed by this Court, the petitioner has been given the benefit of seniority with effect from the date of his initial appointment. However, monetary benefits arising therefrom are not being disbursed to him despite representation/appeal dated 07.01.2019 (Annexure P-13). He submits that neither any decision is being conveyed on the pending appeal nor the benefits are otherwise being accorded despite various oral/written representations.

4. Notice of motion.

5. At the asking of the Court, Ms. Anu Chatrath, Additional Advocate General, Punjab accepts notice on behalf of the State. Let copy of the petition be supplied to her in course of the day.

6. 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.

7. Writ petition is disposed of with a direction to respondents to pass a speaking order on the pending appeal by considering the contentions of the petitioner raised in his appeal/representation dated 07.01.2019 (Annexure P-13) as also the contents of the present writ petition by treating the same as supplementary representation.

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

9. In case the petitioner is found entitled to the monetary relief as claimed by him in his appeal/writ petition, the same shall be disbursed to him within a period of 2 months thereafter along with interest @ 6% per annum.

10. Disposed of in above terms.

01.07.2019
vandana

(ARUN MONGA)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No