

244 (2 cases)

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

1) CWP No.11006 of 2017 (O&M)
Date of decision: 10.09.2019

Pradeep Rajput and others ...Petitioners

Versus

State of Haryana and others ...Respondents

2) CWP No.11007 of 2017 (O&M)
Date of Decision; 10.09.2019.

Vishvash and others ...Petitioners

Versus

State of Haryana and others ...Respondents

Before: Hon'ble Mr. Justice B.S. Walia.

Present: Mr. Anil Kumar Saini, Advocate for the petitioners.

Mr. Harish Rathee, Sr. DAG, Haryana.

B.S. WALIA, J. (Oral)

1. This order shall decide CWP No.11006 of 2017 as well as CWP No.11007 of 2017, as point in issue in both cases is similar.

2. Prayer in the writ petitions is for the issuance of a writ in the nature of Certiorari to quash the practice of the respondents of relieving the petitioners during vacations, for issuing a writ in the nature of Mandamus directing the respondents to allow the petitioners to continue till regular appointments are made as also to grant the petitioners salary for the vacation period besides minimum pay scale as admissible to similarly situated regular employees.

3. Learned counsel for the petitioners relies upon the decision of a Coordinate Bench of this Court in CWP No.16954 of 2015, in case titled as Anurag Chahal and others vs State of Haryana and another, decided on 05.05.2016 and states that the petitioners would be satisfied if the writ petition is disposed of by directing the respondents to consider and decide the claim of the petitioners as has been made in the writ petition/legal notice, Annexure P/10 in CWP No.11006 of 2017 and Annexure P/12 in CWP No.11007 of 2017, in the light of the decision of this Court in Anurag Chahal's case (supra).

4. Learned Sr. DAG states that he has no objection to the plea of the petitioners for consideration of the claim in accordance with law.

5. In the light of the position as noted above, the writ petitions are disposed of by directing respondent No.2 to consider and decide the claim of the petitioners as has been made in the writ petition/legal notice Annexure P/10 dated 30.04.2017 in CWP No.11006 of 2017 and Annexure P/12 dated 30.04.2017 in CWP No.11007 of 2017, in accordance with law, as expeditiously as possible, preferably within a period of three months from today.

(B.S. WALIA)
JUDGE

10.09.2019

rajesh.k.khurana

- | | | |
|------------------------------|---|---------|
| 1. Whether speaking/reasoned | : | Yes/No. |
| 2. Whether reportable | : | Yes/No. |