

CWP-28730-2019

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

CWP-28730-2019

Date of decision : 03.10.2019

Rajender and others

... Petitioners

Versus

State of Haryana and others

... Respondents

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL

Present: Mr. Narender Bhukal, Advocate
for the petitioners.

AMIT RAWAL, J. (ORAL)

Petitioners are seeking indulgence of this Court for issuance of a writ in the nature of mandamus directing the respondents to consider the case of petitioners and decide the legal notice dated 13.05.2019 (Annexure P-4) by passing a speaking order within a stipulated period as the respondents have not decided legal notice even till date and have adopted the policy of pick and choose and senior employee like petitioners have not been regularized prior or on the date on which their juniors have been regularized as per seniority list and the orders whereby juniors of petitioners have been regularized.

Learned counsel for the petitioners submits that case of petitioners is squarely covered under the order dated 04.09.2014 passed in CWP No.18296 of 2014 (Annexure P-6) and 10.01.2017 passed in CWP No.14131 of 2016.

Without going into the merits and demerits of the claim of the petitioners, I deem it appropriate to direct respondent No.2 to consider the legal notice dated 13.05.2019 (Annexure P-4), within a period of one month from the date of receipt of certified copy of this order and shall pass a speaking order thereon after affording opportunity of hearing to petitioners, and taking into consideration judicial precedents as well, failing which, respondent No.2, shall be liable to pay costs of ₹25,000/- to petitioners. In case petitioners are entitled to the aforesaid benefits, the same shall be released within a period of one month thereafter.

This condition of imposing costs is only to prevent petitioners to run from pillar to post and avail remedy of contempt in case of non-compliance of directions issued by this Court.

The writ petition stands disposed of with the above direction.

03.10.2019
Yogesh Sharma

(AMIT RAWAL)
JUDGE

Whether speaking/reasoned	Yes/ No
Whether Reportable	Yes/ No