

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No. 31612 of 2019

Date of decision : 01.11.2019

Dalvir Kaur and others

....Petitioners

Versus

State of Haryana and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Harsh Mehla, Advocate for the petitioners.

Harsimran Singh Sethi, J. (Oral)

In the present writ petition, the petitioners are claiming the benefit as extended to the similarly situated employees keeping in view the judgment of the Division Bench of this Court in CWP No. 7862 of 2006 titled as ***Hanumant Singh and others Vs. State of Haryana***, decided on 04.07.2008.

Learned counsel for the petitioners argues that though the petitioners are similarly situated as the petitioners in ***Hanumant Singh's case (supra)*** but the benefit of the said judgment has not been extended to them without any valid justification. The prayer of the petitioners is to grant them the benefit as per ***Hanumant Singh's case (supra)*** for which they are entitled.

Petitioners have already retired from service since long and the

decision in *Hanumant Singh's case (supra)*, which is being relied upon, was also rendered in July, 2008. No explanation has come forward as to why the petitioners have approached this Court after a delay of 11 years.

Faced with this station , learned counsel for the petitioners states that petitioners have submitted a representation dated 19.07.2019 (Annexure P-7) to the respondents, which is still pending consideration with the respondents and the petitioners will be satisfied, at this stage, in case a time bound direction is issued to the respondents to decide the said representation by passing an appropriate speaking order.

In view of the request made, without expressing any opinion on the merits of the case and the claim being made by the petitioners, the respondents are directed to decide the representation dated 19.07.2019 (Annexure P-7) by passing a speaking order within a period of three months from the date of receipt of a certified copy of this order.

It is made clear that in case petitioners are found entitled for the benefit as being claimed by them in their representation, the arrears will only be granted from the date of representation i.e. 19.07.2019 onwards.

Writ petition stands disposed of accordingly.

November 01, 2019
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether reasoned/speaking? *Yes*
Whether reportable? *No*