

122 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP NO.32180 OF 2019(O&M)

Date of Decision: 06.11.2019

Balwinder Singh and othersPetitioners

versus

State of Punjab and othersRespondents

CORAM HON'BLE MR. JUSTICE ARUN MONGA

Present Mr.B.S.Sidhu, Advocate for the petitioners.
Mr. P.S.Bajwa, Additional A.G., Punjab.

ARUN MONGA, J (ORAL)

Inter alia, issuance of a writ in the nature of mandamus directing the respondents to count the service rendered by the petitioners on the post of SPOs as qualifying service for the purpose of seniority for the post of Constables and all other consequential benefits.

2. Learned counsel for the petitioners states that case of the petitioners is squarely covered by the judgment of this Court rendered in CWP No.2371 of 2010 titled as Harbans Lal Vs. State of Punjab and others decided on 31.08.2010. He further submits that petitioners also submitted a representation dated 25.05.2019 (Annexure P9) through his counsel to the respondents but the same has not been adverted to by the respondents till date. Hence, the present writ petition.

3. Notice of motion.

4. On advance service of the petition, Mr. P.S.Bajwa,

Additional A.G., Punjab appears and accepts notice on behalf of the respondent-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 25.05.2019 (Annexure P9) 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. It is expected of the competent authority to go through the judgment *ibid*, as well as contained at Annexure P-10, which, as per the learned counsel for the petitioner, is squarely applicable in favour of the petitioner. In case, the competent authority is of the view that the same is not applicable to the petitioner, the reasons for the same be recorded in the speaking order.

8. Let the needful be done within a period of 03 months from the date of receipt of a certified copy of this order.

9. Disposed of in above terms.

06.11.2019
mamta

(ARUN MONGA)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No