

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

CWP No.32033 of 2019
Date of decision: 12.12.2019

Sukhraj Singh and othersPetitioners
Versus

State of Haryana and anr. ...Respondents

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

Present: Mr.A.K Singh Goyat, Advocate for the petitioners.

B.S. Walia, J. (Oral)

Prayer in the writ petition is for the issuance of a writ of Mandamus for directing the respondents to consider the claim of the petitioners for regularization in the light of Policy Annexure P-2 dated 18.6.2014, Annexure P-3 dated 14.8.2014 or in the alternative, policy Annexure P-5 dated 7.7.2014 as also for directing the respondents to grant minimum scale prescribed for the post at least for three years in the light of decision Annexure P-7 dated 3.11.2017 already granted by the respondent-Department to similarly situated Canal Patwaris vide Annexure P-8 dated 16/17.05.2019 in view of the decision of Hon'ble Supreme Court in **State of Punjab and others vs. Jagjit Singh and others** 2016 (4) SCT 641.

2. Learned counsel states that the petitioners have submitted representation Annexure P-9 dated 13.08.2019 in respect of the grievances which are the subject matter of the writ petition but the same has not been decided till date and in the circumstances, the petitioners would be satisfied, if the writ petition is disposed of, at this stage, by directing the respondents to consider and decide the representation Annexure P-9 dated 13.08.2019 in accordance with law in a time bound manner.

3. Notice of motion.

4. Mr. Harish Rathee, Sr. DAG, Haryana, accepts notice on behalf of the respondents and states that policy Annexures P-2 and P-3 dated 18.6.2014 and 14.8.2014 respectively have already been struck down by the Division Bench of this Court in CWP No.17206 of 2014 titled as “**Yogesh Tyagi and another vs. State of Haryana and others**” although SLP qua the said decision is pending before Hon’ble the Supreme Court. However, Sr. DAG, has no objection to the consideration of the claim of the petitioners for regularization in the light of policy Annexure P-5 dated 7.7.2014 as well as for the grant of minimum of pay scale in terms of the decision of Hon’ble the Supreme Court in **Jagjit Singh’s** case (supra) provided the same are applicable in the facts and circumstances of the case.

5. Without commenting on the merits of the claim or the entitlement of the petitioners to the relief claimed, the writ petition is disposed of by directing respondent No.2 to consider and decide the representation Annexure P-9 dated 13.08.2019 in accordance with law after taking into account all aspects of the matter including the pendency of the SLP in **Yogesh Tyagi’s** case (supra) before Hon’ble the Supreme Court as well as the decision of Hon’ble the Supreme Court in **Jagjit Singh’s** case (supra) as expeditiously as possible.

December 12, 2019
ps

(B.S. WALIA)
JUDGE

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