

Sr. No.121

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

CWP No.33100 of 2019 (O&M)

Date of Decision: 16.11.2019

Binder Singh and others

... Petitioners

Versus

State of Punjab and others

... Respondents

CORAM:- HON'BLE MR. JUSTICE ARUN MONGA

Present:- Mr. J.S.Mohri, Advocate,
for the petitioners.

Ms. Monica Chhibber Sharma, Sr. DAG, Punjab.

ARUN MONGA, J.(ORAL)

Petitioners herein seek issuance of a writ in the nature of mandamus directing the respondents to count their daily wage service period prior to their regularization towards qualifying service for the purpose of pensionary/retiral 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 caused a legal notice dated 16.07.2019 (Annexure P-9) through their 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, Ms. Monica

Chhibber Sharma, Sr. DAG, Punjab appears and accepts notice on behalf of the 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 legal notice dated 16.07.2019 (Annexure P-9) 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. Let the needful be done within a period of 3 months from the date of receipt of a certified copy of this order.

8. Disposed of in above terms.

16.11.2019

vandana

(ARUN MONGA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No