

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP No. 34115 of 2019

Date of decision: 22.11.2019

Sunil Kumar and others

..... Petitioners

Versus

State of Haryana and another

....Respondents

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

Present : Mr. Gurvinder Singh, Senior Advocate with
Mr. Jatinder Singh Gill, Advocate
for the petitioners.

B.S. WALIA, J. (ORAL)

[1] Prayer in the writ petition is for the issuance of directions to the respondent-department to treat the petitioner as having been regularized against the post of Junior Programmer instead of post of Clerk as has been done vide order Annexure P-7 dated 14.08.2014 in terms of policy dated 18.06.2014 by suitably setting aside/reading down the impugned order in view of the fact that the petitioners had continuously worked on the post of Junior Programmer about 6 to 11 years prior to regularization whereas the service of persons, appointed much later than the petitioner as Junior Programmers, have been regularized on the post of Junior Programmer.

[2] Learned Senior Counsel duly assisted by Mr. Jatinder Singh Gill, Advocate contends that the petitioners submitted representation Annexure P-9 dated 03.05.2018 in respect of the grievance which is the subject matter of the instant writ petition whereupon the petitioners were called for personal

hearing vide communication Annexure P-10 dated 15.05.2018 and were given personal hearing but no decision has been taken in respect thereto till date.

[3] Learned Senior counsel duly assisted by counsel contends that the petitioners would be satisfied if the writ petition is disposed of at this stage by directing respondent No.2 to consider and decide the claim made in the representation Annexure P-9 dated 03.05.2018 on the basis of personal hearing afforded to the petitioners as also in the light of the decision passed by this Court in CWP No. 5662 of 2014, titled as Jai Pal Kaushik and others vs. State of Haryana, decided on 31.10.2017.

[4] Notice of motion.

[5] Mr. Harish Rathee, Sr. Deputy Advocate General, Haryana, accepts notice and states that he has no objection to the aforementioned limited prayer of the petitioners.

[6] Without commenting upon 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 claim made in the representation, Annexure P-9 dated 03.05.2018 in accordance with law by taking into account the decision in CWP No. 5662 of 2014, titled as Jai Pal Kaushik and others vs. State of Haryana, decided on 31.10.2017 in case the same is applicable, within three months from the date of receipt of certified copy of this order.

(B.S. Walia)
Judge

22.11.2019
dinesh/rajneesh

1. Whether speaking/reasoned : Yes/No.
2. Whether reportable : Yes/No.