

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

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CWP No.35407 of 2019

Date of Decision : 05.12.2019

Dr. Nirmal Singh and others

....Petitioners

v/s

State of Haryana and another

....Respondents

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

Present: Mr. Sameer Sachdeva, Advocate for the petitioners.

B.S. Walia, J. (Oral)

[1] Prayer in the writ petition is for the issuance of a writ of mandamus, directing to the respondents to grant the benefit of *ad hoc* service towards seniority along with all consequential benefits in view of similar relief already having been granted by the High Court vide decision (Annexure P-3) dated 09.09.2010, as affirmed by Hon'ble the Division Bench vide Annexure P-4 dated 13.10.2011 and further upheld by Hon'ble the Supreme Court in SLP vide Order (Annexure P-5) dated 10.05.2018, besides the review and curative petitions also having been dismissed in respect thereto by Hon'ble the Supreme Court.

[2] Learned counsel contends that the petitioners have already served a legal notice (Annexure P-6) dated 18.07.2019, claiming the relief, which is the subject matter of the instant writ petition, but the same has not been decided till date and in the circumstances, the petitioners would be satisfied, if respondent No.1 is directed to consider and decide the claim made in the legal notice (Annexure P-6) dated 18.07.2019, in accordance with law and by taking

into account the decision of this Court, as upheld up to Hon'ble the Supreme Court, in a time bound manner.

[3] Notice of motion.

[4] Mr. Harish Rathee, learned Senior Deputy Advocate General, Haryana, accepts notice on behalf of the respondents/*State* and states that he has no objection to the limited prayer made by learned counsel for the petitioners.

[5] 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.1 to consider and decide the claim made in the legal notice (Annexure P-6) dated 18.07.2019, in accordance with law after taking into account the decisions relied upon in case the same are applicable within a period of 03 months from the date of receipt of certified copy of this order. Needless to mention, in case the petitioners are found entitled to the relief claimed, the same be granted to the petitioners within a period of 03 months thereafter.

(B.S. Walia)
Judge

December 05, 2019

'Rajneesh'

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