

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

CWP No.36711 of 2019

Date of Decision : 18.12.2019.

Satish Kumar and others

...Petitioners

Versus

State of Haryana and others

....Respondents

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

Present: Mr. Sandeep Singh Jattan, Advocate for the petitioners.

B.S.WALIA, J. (Oral)

1. Prayer in the writ petition is for the issuance of a writ of Mandamus for directing the respondents to count the service of the petitioners rendered on contractual basis followed by regular service w.e.f. the date of their appointment in the department on the post of drivers/conductors for the purpose of qualifying service for pension, gratuity, regular pay scale, fixation of pay, promotion etc., in view of decision of this Court dated 29.09.2016, in case titled as Jashwant Singh and others vs. State of Haryana and others, CWP No.24282 of 2011.

2. Learned counsel contends that although the petitioners have served legal notice Annexure P/3 dated 09.07.2019, in respect of the grievance which is the subject matter of the instant writ petition but the same has not been decided till date and that in the circumstances the petitioners would be satisfied if the writ petition is disposed of at this stage by directing respondent No.1 to consider and decide the

claim as made in legal notice Annexure P/3 dated 09.07.2019 in accordance with law by taking into account the decision of this Court in Jashwant Singh's case (supra), in a time bound manner.

3. Notice of motion. Mr. Harish Rathee, Sr. DAG, Haryana, accepts notice on behalf of the respondents and states that he has no objection to the innocuous prayer made by learned counsel for the petitioners.

4. Without commenting on the merits of the claim or 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 as made in legal notice Annexure P/3 dated 09.07.2019, after taking into account all aspects of the matter including the decision of this Court in Jashwant Singh's case (supra), in case the same is applicable to the facts and circumstances of the case, within four months from the date of receipt of certified copy of this order.

(B.S.WALIA)
JUDGE

18.12.2019.

rajesh.k.khurana

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