

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

CWP No.37104 of 2019

Date of Decision : 19.12.2019.

Tejbir Singh and others

...Petitioners

Versus

State of Haryana and another

....Respondents

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

Present: Mr. Keshav Gupta, 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 fix the seniority of the petitioners in terms of merit list published by the respondents and to grant the petitioners benefit of notional pay fixation along with all consequential benefits w.e.f. the date of joining of first set of candidates who were lower in merit than the petitioners.

2. Learned counsel contends that claim of the petitioners is covered by the decision of this Court in CWP No.10534 of 2017, titled Kiran Bala and others vs. State of Haryana and others and CWP No.19337 of 2019, Mohini and others vs. State of Haryana and others and despite the petitioners having submitted representation Annexure P/10 dated 11.11.2019 to the respondents 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.2 to consider and decide representation Annexure P/10

dated 11.11.2019, in accordance with law after taking into account the decisions of this Court as referred to above, in a time bound manner.

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

4. Without commenting upon the merits of the case 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 representation Annexure P/10 dated 11.11.2019, in accordance with law after taking into account all aspects of the matter including the judgments of this Court as referred to above (Annexure P/11 and P/12 respectively), in case the same are applicable, within a period of three months from the date of receipt of certified copy of this order.

(B.S.WALIA)
JUDGE

19.12.2019.

rajesh.k.khurana

Whether speaking/reasoned

: Yes/No

Whether reportable

: Yes/No