

137 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No.1333 of 2020 (O&M)
Date of decision : January 20, 2020

Malkit Singh and another Petitioners

Versus

State of Punjab and others Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Raghav Gulati and Ms. Sudha, Advocates
for the petitioners.

HARSIMRAN SINGH SETHI J. (ORAL)

Learned counsel for the petitioners states that the petitioners are entitled for the benefit of judgment, which has been rendered by this Court in CWP No.16446 of 2010, titled as “*Jaswinder Singh Bedi and others vs State of Punjab and others*”, decided on 20.05.2013.

Learned counsel for the petitioners further states that the similarly situated employees of the Corporation, who were colleagues of the petitioners, filed CWP No.26484 of 2019, titled as “*Chand Singh and others vs State of Punjab and others*”, which was disposed of on 18.09.2019 in terms of the order passed by this Court in *Jaswinder Singh Bedi's* case (*supra*).

Learned counsel for the petitioners argues that the benefit of *Jaswinder Singh Bedi's* case (*supra*) has not been extended to the petitioners on the ground that there is no order passed by the competent Court of law granting the said benefit to the petitioner whereas, the respondent-Corporation is under obligation to grant the benefit to all the

similarly situated employees when once the direction has been given to the similarly situated employees in **Chand Singh's** case (*supra*), which is totally arbitrary and illegal. The prayer of the petitioners is for grant of benefit as granted by this Court to the petitioners in **Jaswinder Singh Bedi's** case (*supra*).

Counsel for the petitioners state that for the relief which has been sought in the present writ petition, petitioners have served a legal notice dated 20.12.2019 (Annexure P-12) upon the respondents, which is still pending consideration with the respondents and the petitioners will be satisfied, at this stage, in case a time bound direction is issued to the respondents to decide the same by passing an appropriate speaking order in accordance with law.

In view of the request made, without expressing any opinion on the merits of the case or the claim being made by the petitioners, the respondents are directed to decide the legal notice dated 20.12.2019 (Annexure P-12), by passing a speaking order within a period of three months from the date of receipt of a certified copy of this order.

Present writ petition stands disposed of.

(HARSIMRAN SINGH SETHI)
JUDGE

January 20, 2020

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Whether speaking / reasoned

Yes / No

Whether Reportable:

Yes / No