

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

**CWP No.4753 of 2020 (O&M)
Date of decision : February 20, 2020**

Kaur Singh and others **Petitioners**

Versus

State of Punjab and another **Respondents**

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. C.L. Sharma, Advocate for the petitioners.

HARSIMRAN SINGH SETHI J. (ORAL)

Learned counsel for the petitioners states that the claim of the petitioners as raised in the present writ petition is covered by the judgment passed by this Court in CWP No.10575 of 2013 on 30.07.2015, titled as ***“Dr. Naresh Kumar Kataria and others v State of Punjab and others”***.

Learned counsel for the petitioners further states that the similarly situated employees have already been granted the benefit of the arrears but the same is not being extended to the petitioners on the ground that there is no order by the competent Court of law in their favour.

Learned counsel for the petitioners argues that keeping in view the settled principle of law as settled by the Division Bench of this Court in case of ***“Satbir Singh v State of Haryana” 2002(2) SCT, 354***, once, the law has been settled, it should be implemented to all without forcing every employee to approach the Court seeking the said benefit. The prayer of the petitioners is for directing the respondents to grant the petitioners the benefit as given to the petitioners in ***Dr. Naresh Kumar Kataria's*** case (*supra*).

Learned counsel for the petitioners states that for the relief, which has been claimed in the present writ petition, the petitioners have served a legal notice dated 14.01.2020 (Annexure P-15) upon the respondents, which is still pending consideration with respondent No.2 and the petitioners will be satisfied, at this stage, if a time bound direction is issued to respondent No.2 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 on the claim being made by the petitioners, the respondents are directed to decide the legal notice dated 14.01.2020 (Annexure P-15), 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

February 20, 2020

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Whether speaking / reasoned

Yes

Whether Reportable:

No