

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-5987 of 2020

Date of decision: 03.03.2020

Hazoor Singh and others

.... Petitioners

versus

State of Punjab and others

... Respondents

CORAM:HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Gursharan Singh, Advocate
for the petitioners.

HARSIMRAN SINGH SETHI, J.

Learned counsel for the petitioners argues that the benefit of judgement passed by this Court in CWP No.22834 of 2013 titled as **Nirmal Singh and others vs. State of Punjab and another** decided on 22.03.2018 is not being extended to the petitioners, though, the claim of the petitioners is covered by the said judgement.

Learned counsel for the petitioners further argues that once a question of law has been settled by the competent Court of law, it is incumbent upon the respondents to grant the benefit of the same to the similarly situated persons without forcing them to approach this Court. To support his argument, learned counsel for the petitioners relies upon the judgement passed by Division Bench of this Court in **Satbir Singh vs. State of Haryana 2002(2) S.C.T. 354**. Prayer of the petitioners is for issuance of a direction to the respondents to consider the claim of the petitioners in terms of order passed by this Court in **Nirmal Singh's case (supra)** and grant the

petitioners the benefit, which has been extended to the similarly situated employees.

Learned counsel for the petitioners states that for the relief, which is being claimed in the present writ petition, the petitioners have served the respondents with legal notices dated 01.10.2019 and 1.11.2019 (Annexure-P/5) and (Annexure-P/6) respectively, which are still pending consideration with the respondents and the petitioners will be satisfied, at this stage, in case a time bound direction is issued to respondent No.2 to decide the said legal notices.

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 respondent No.2 is directed to decide legal notices dated 01.10.2019 and 1.11.2019 (Annexure-P/5) and (Annexure-P/6) respectively 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)

03.03.2020

JUDGE

aarti 1. Whether speaking/non-speaking?

Yes/No

2. Whether reportable?

Yes/No