

CM-6257-CWP-2017 in/&
CWP-3304-2004

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CM-6257-CWP-2017 in/&
CWP-3304-2004

Date of Decision: 13th January, 2020

Krishan Kumar & another

...Petitioners

Versus

State of Punjab & another

...Respondents

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. Varinder Kumar Shukla, Advocate,
for the petitioners.

Ms. Anu Pal, DAG, Punjab.

AUGUSTINE GEORGE MASIH, J. (ORAL)

CM-6257-CWP-2017

Prayer in this application is for disposal of the writ petition in the light of the judgment passed by this Court in CWP No.15199 of 2003, titled as 'Rakesh Beri Vs. State of Punjab & another', decided on 29.02.2012 (Annexure P-13).

At the joint request of the learned counsel for the parties, the main writ petition is taken on board for disposal.

Application stands disposed of.

CWP-3304-2004

In *Rakesh Beri's* case (supra), following order was passed on 29.02.2012:-

“This order shall dispose of CWP Nos. 6329, 6330, 6331, 6332 and 15199 of 2003 as common questions of law and facts are involved in these cases.

The petitioners seek a Mandamus directing the respondents to absorb them on the posts carrying pay scale of Rs.1800-3200.

Since the claim of the petitioners for their adjustment on the posts carrying pay scale of Rs.1800-3200 was accepted by this Court but they could not be given appointment when their juniors were adjusted because the matter remained pending in this Court and Hon'ble Supreme Court, the petitioners are certainly entitled to be assigned the deemed date of appointment prior to the date when their juniors were adjusted.

Consequently, these writ petitions are disposed of with a direction to the respondents to assign the petitioners deemed date of adjustment, subject to their eligibility, prior to a date when their immediate juniors were so adjusted. The petitioners shall be entitled to notional service benefits only from the said deemed date. Let the needful be done within a period of six months from the date a certified copy of this order is received.

Disposed of. Dasti.”

Without going into merit of the case or commenting thereon, the present writ petition is disposed of, as prayed for by the counsel for the petitioners, to consider the claim of the petitioners and pass a speaking order in accordance with law keeping in view the above referred to judgment.

(AUGUSTINE GEORGE MASIH)
JUDGE

13th January, 2020
Harish

Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No