

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

111

CWP-10611-2020 (O&M)
Date of decision : 24.07.2020

VISWA NATH AND ORS.

...PETITIONERS

Versus

STATE OF PUNJAB AND OTHERS

...RESPONDENTS

CORAM:- HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Jasbir Singh Mohri, Advocate
for the petitioners.

Mr. Charanpreet Singh, A.A.G., Punjab.

JITENDRA CHAUHAN J. (ORAL)

The matter has been taken up through video-conferencing in the light of the pandemic COVID-19 situation and as per instructions.

This writ petition under Article 226 of the Constitution of India has been filed for the issuance of a direction to the respondents to count the daily wage service of the petitioners rendered before their regularization as qualifying service and permit the petitioners to continue in the old GPF scheme.

Learned counsel for the petitioners states that at this stage they would be satisfied, if a direction is issued to respondent No. 2 to consider and decide the representation dated 22.12.2019 (Annexure P-8) in the light of judgment passed by this Court on 31.08.2010 passed in CWP No. 2371 of

2010 titled as Harbans Lal Versus The State of Punjab and others (Annexure P-3), judgment dated 07.01.2016 passed in CWP No. 24472 of 2015 titled as Constable Rajesh Kumar & ors. Versus State of Punjab & anr. (Annexure P-4), judgment dated 30.03.2016 passed in CWP No. 10376 of 2014 titled as Subhash Chand & ors. Versus The State of Punjab & anr. (Annexure P-5), judgment dated 08.09.2016 passed in CWP No. 20601 of 2014 titled as Rajinder Singh & ors. Versus State of Punjab & others (Annexure P-6) and judgment dated 09.08.2017 passed in CWP No. 1665 of 2017 titled as Budhi Singh & ors. Versus State of Punjab & ors (Annexure P-7).

Heard.

A complete set of paper book has already been handed over to learned counsel for the respondents.

Learned State counsel states that he has no objection in case the prayer made by the learned counsel for the petitioners is granted.

Heard.

In view of the above, without adverting to the merits of the case, the present petition is disposed of with a direction to respondent No.2- The Director General of Police, Punjab Police Head Quarter, Sector-9, Chandigarh to consider and decide the representation dated 22.12.2019 (Annexure P-8) in the light of judgments passed by this Court as Annexure P-3 to Annexure P-7 within 45 days from the receipt of the certified copy of the judgment. In case, on consideration, the competent authority reaches to

the conclusion that the benefit claimed by the petitioners is admissible to them, in such eventuality, the consequential relief be allowed to them, within a period of 45 days thereafter, in accordance with law. However, in case the competent authority feels that the relief claimed by the petitioners is not admissible or made out, in that case, a speaking order be passed in the matter.

24.07.2020
 jyoti-II

(JITENDRA CHAUHAN)
JUDGE

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