

111 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No.12891 of 2020

Date of decision : August 27, 2020

Koshpati Dhawan and others Petitioners

Versus

State of Punjab and others Respondents

CORAM : HON'BLE MR. JUSTICE SANT PARKASH

Present:- Ms. Sudha, Advocate for the petitioners.

Ms. Lavanya Paul, AAG, Punjab.

*(The aforesaid presence is being recorded through video conferencing
since the proceedings are being conducted in virtual court)*

SANT PARKASH, 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 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 petitioners the same benefit as granted to the petitioners in ***Jaswinder Singh Bedi's*** case (*supra*).

Learned counsel for the petitioners argues that keeping in view the law settled by the Division Bench of this Court in “***Satbir Singh Vs. State of Haryana***”, 2002(2) SCT 354, once the question of law has been settled, all the similarly situated employees are entitled for the benefit without forcing them to approach this Court.

Learned counsel for the petitioners state that for the relief which has been sought in the present writ petition, petitioners have already approached the respondents by serving a legal notice dated 12.06.2020 (Annexure P-8), which is still pending consideration with the authorities and the petitioners will be satisfied, at this stage, in case a time bound direction is issued to respondent No. 1 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, respondent No. 1 is directed to decide the legal notice dated 12.06.2020 (Annexure P-8), by passing a speaking order within a period of six weeks from the date of receipt of a certified copy of this order. In case after the decision, it is found that the petitioners are entitled for any monetary benefit, the same shall also be released to them within a period of next three months.

Present writ petition stands disposed of.

**(SANT PARKASH)
JUDGE**

August 27, 2020

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Whether speaking / reasoned

Yes / No

Whether Reportable:

Yes / No