

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-12920-2020 (O&M)
Date of decision : 27.08.2020

Gurdeep Singh and another

...PETITIONERS

Versus

State of Punjab and others

...RESPONDENTS

CORAM:- HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Jasvir Singh Dhaliwal, Advocate
for the petitioners.

Ms. Simran Grewal Randhawa , 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 Civil writ petition under Articles 226, 227 of the Constitution of India has been filed for issuance of a writ in the nature of Mandamus directing the respondents to count the service rendered by the petitioners on the post of SPO as qualifying service for the purpose of Pensionary/Retiral Benefits.

Learned counsel for the petitioners submits that the case of the petitioners is squarely covered by the ratio of law laid down in the case titled as **Kesar Singh and others Versus State of Punjab and others'**, CWP No. 11041 of 2020 decided on 31.07.2020 (Annexure P-11). He states that legal notice dated 04.02.2020 (Annexure P-12) is still pending for consideration before the competent authority. He further states that at this stage they would be satisfied, if a direction is issued to respondent No. 2-

The Director General of Police, Punjab, Punjab Police Headquarters, Sector-9, Chandigarh to consider and decide the claim of the petitioners in the light of judgment (Annexure P-11).

Heard.

A complete set of paper book has already been handed over to learned State counsel.

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

In view of the above, without advertng 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, Punjab Police Headquarters, Sector-9, Chandigarh to consider and decide the claim of the petitioners in the light of judgment (Annexure P-11) 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.

27.08.2020

jyoti-II

(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned : Yes No

Whether Reportable : Yes No