

In the High Court of Punjab and Haryana at Chandigarh

Civil Writ Petition No. 15340 of 2020
Date of Decision: 24.9.2020

Farmal Singh and others

.....Petitioners

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

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

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

This petition has been filed under Article 226/227 of the Constitution of India for issuance of a writ in the nature of Mandamus directing the respondents to consider the claim of the petitioners for granting the ASI Local Rank in view of order dated 07.7.2018 (Annexure P-6) issued by respondent No. 1, vide which, similar benefits, as claimed by the petitioners, have been granted to the similarly situated officials vide circular dated 23.1.2020 (Annexure P-8).

Learned counsel for the petitioners submits that initially the petitioners were appointed as Special Police Officers (SPOs) on daily wage basis between the period 1991-1996. He further submits that vide letter dated 26.7.1990, standing order was issued for the appointment of Auxiliary Constables and thereafter circular dated 19.11.1991 (Annexure P-3) was

would be entitled for absorption as Constables. All the petitioners stood successful in the selection process and they were issued Constabulary number of various dates. Learned counsel further submits that after allotting Constabulary numbers, their previous service was not counted towards the qualifying service for the various service benefits. Learned counsel further submits that the petitioners are seeking the benefit of ASI/Local Rank in view of the circular dated 7.7.2018 issued by government of Punjab, Department of Home Affairs and Justice (Annexure P-6). Learned counsel further submits that for the redressal of their grievance, the petitioners have served a legal notice dated 10.7.2020 (Annexure P-9) but no action has been taken on the same so far.

Notice of motion.

Mr. Tejinder Pal Singh Chawla, DAG, Punjab, accepts notice on behalf of respondents-State.

Learned counsel for the petitioners states that the petitioners would be satisfied if a direction is issued to respondent No. 2 to consider the claim of the petitioners contained in the legal notice 10.7.2020 (Annexure P-9) and decide the same within a fixed time frame.

As it is for the authorities concerned to address the claim of the petitioners in the first instance, no cause is made out to entertain this writ petition for adjudication on merits.

Keeping in view the above, the present writ petition is disposed of with a direction to Director General of Police, Punjab-respondent No. 2 to consider the claim of the petitioners as contained in legal notice dated 10.7.2020 (Annexure P-9), as per law and decide the same by passing a speaking order, within a period of two months from the date of receipt of

certified copy of the order.

(HARNARESH SINGH GILL)
JUDGE

September 24, 2020
Gurpreet

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No