

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CWP-1642-2021

Date of Decision: 27.01.2021.

Jagar Singh and others

...Petitioners

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR JUSTICE ARUN MONGA

Present : Mr. Vishal Yadav, Advocate,
for the petitioners.

Ms. Mamta Talwar, DAG, Haryana.

(Presence marked through video conference).

ARUN MONGA, J. (ORAL)

Petition herein is under Article 226 of Constitution of India seeking issuance of a writ in the nature of mandamus directing the respondents to grant ante date seniority along with consequential benefits i.e. pensionary benefits under the Old Pension Scheme by giving the deemed appointment along with similarly situated persons.

2. Learned counsel for the petitioners contends that despite the fact that other similarly situated persons, who were appointed along with the petitioners have been accorded the benefits, yet by adopting discriminatory yardstick, the case of the petitioners has not been decided without any plausible reason thereof.

3. Learned counsel for the petitioners submits that petitioners are simply seeking parity with the other similarly situated employees.

4. Learned counsel for the petitioners submits that petitioners caused issuance of a legal notice dated 20.09.2020 (Annexure P-17), but to no avail. Hence, the instant petition.

5. Learned counsel for the petitioners submits that he would be satisfied, at this stage, if a final decision is taken on the legal notice dated 20.09.2020 (Annexure P-17).

6. Notice of motion.

7. Ms. Mamta Talwar, DAG, Haryana, who has joined proceedings on service of advance copy of the petition, accepts notice on behalf of the respondent-State of Haryana.

8. Given the nature of order being passed, there is no necessity to seek return by any of the respondents, as no further proceedings and/or pleadings are required.

9. Without commenting on the merits of the case, the writ petition is disposed of with a direction to the competent authority to look into the grievance of the petitioners as per legal notice dated 20.09.2020 (Annexure P-17) and also by keeping in view the contentions stated in the present petition by treating the same as supplementary representation and decide the same by passing a speaking order, in accordance with law, as expeditiously as possible but not later than 3 months from today.

10. Disposed of accordingly.

January 27, 2021
vandana

(ARUN MONGA)
JUDGE

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