

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

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CWP No.5200 of 2021
DATE OF DECISION : 4th MARCH, 2021

Joginder Singh & others

.... Petitioners

Versus

State of Punjab & others

.... Respondents

CORAM : HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

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Present : Mr. Krishan Kumar Thakur, Advocate for the petitioners.

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RAJBIR SEHRAWAT, J. (Oral)

The present petition has been filed by the petitioners under Article 226 of the Constitution of India for issuance of writ in the nature of mandamus directing the respondents to count the service rendered by the petitioners as SPOs as qualifying service for all intents and purposes, including grant of all service benefits, as well as, qualifying service for the purpose of pensionary benefits, as per the law settled by this court. As the said benefit has been granted by this court to similarly situated persons vide its order dated 15.02.2018 in CWP No.9936 of 2017, titled as Sukhjeet Singh and others Versus State of Punjab & others (Annexure P-6) and the same has been complied with by the respondent-department vide various orders. In the alternative there is prayer for disposal of legal

notice dated 21.08.2020 (Annexure P-10) in the light of the mandate of this court.

The counsel for the petitioners has submitted that the case of the petitioners is covered by the judgment rendered by this court in ***Sukhjeet Singh and others Versus State of Punjab & others*** passed in ***CWP No.9936 of 2017*** vide order dated 15.02.2018 (Annexure P-6), which has even been executed by the State of Punjab by granting necessary benefits to the person similarly situated as to the petitioners. The petitioners have also approached the respondents by making representation for grant of relief to the petitioners. However, the same has not been decided by the respondents. Therefore, at this stage, the petitioners would be satisfied if the respondents are directed to take a decision on the claim of the petitioners in a time bound manner, in accordance with law.

Notice of motion.

Mr. Ayush Sarna, Assistant Advocate General, Punjab, accepts notice on behalf of the respondents-State and has submitted that the State is not averse to expeditious disposal of grievance of the petitioners.

Accordingly, it would not be unjustified if the respondents are directed to take a conscious decision upon the claim of the petitioners within a time bound frame.

In view of the above, the respondent No.2 is directed to take a conscious decision upon the claim of the petitioners as raised in the petition, within a period of three months from today.

It is further ordered that in case the petitioners are found

by the respondent No.2, then the same shall be actually released to the petitioners within a further period of one month from the date of such decision.

The petition stands disposed of with above said direction.

4th MARCH, 2021
‘raj’

(RAJBIR SEHRAWAT)
JUDGE

<i>Whether speaking/reasoned:</i>	<i>Yes</i>	<i>No</i>
<i>Whether Reportable:</i>	<i>Yes</i>	<i>No</i>