

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

114

CWP-12709-2021

Decided on : 14.07.2021

Charan Kumar & others

... Petitioners

Versus

State of Haryana & another

... Respondents

CORAM : HON'BLE MR.JUSTICE G.S. SANDHAWALIA

Present: Mr.Surinder Garg, Advocate, for the petitioners.

Mr.Harish Nain, AAG, Haryana.

(The proceedings are being conducted through video conferencing, as per instructions.)

G.S. Sandhawalia, J. (Oral):-

Prayer in the present writ petition, filed under Articles 226/227 of the Constitution of India, is for issuance of directions for grant of the same benefits as was extended to similarly situated employees by the respondents, vide orders dated 03.02.2020 (Annexure P-3) and 29.01.2021 (AnnexureP-6).

In sum and substance, petitioners claim the benefit of deemed date of appointment on the post of Art & Craft Teacher as on 20.08.2004, for the purpose of notional pay fixation and benefit of seniority.

Counsel for the petitioners submits that he would be satisfied if the legal notice (Annexure P-4) is decided within a fixed time-frame.

Notice of motion.

Mr.Nain accepts notice on behalf of the respondents.

In view of the limited relief sought, this Court is not inclined to call upon the respondents to file reply as the same would delay the proceedings and as the decision making process is incomplete.

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Accordingly, without commenting upon the merits of the case or the entitlement of the petitioners, the present writ petition is disposed of, by directing respondent No.2 to decide the representation (Annexure P-4) within 3 months. In case the petitioners are found entitled for the said benefits, the same be granted to them. In case the benefits are to be denied and there is a legal impediment, reasoned order be passed and communicated to the petitioners.

July 14, 2021
Sailesh

(G.S. SANDHAWALIA)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No