

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

CWP-19896-2021

Date of decision: 30.09.2021

Dharampal and others

...Petitioners

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present: Mr. Anil Kumar Malik, Advocate,
for the petitioners.

Mr. Saurabh Mohunta, DAG, Haryana.
(Presence marked through video conference).

ARUN MONGA, J. (ORAL)

Petitioners herein, *inter alia*, seek issuance of a writ in the nature of mandamus directing the respondents to count their service period on contract followed by regular service period, from the date of their initial appointment, for the purpose of qualifying service for pension, gratuity, regular pay scale and other retiral benefits etc.

2. Learned counsel relies on judgment contained at Annexure P-5 and submits that case of the petitioners is squarely covered by the same. And yet, they have not been accorded the benefit thereof. Their contractual service period has not been counted to grant them the consequential benefits arising therefrom.

3. Learned counsel for the petitioners submits that qua their aforesaid grievance, petitioners submitted a representation dated 17.12.2019 (Annexure P-7) and Department has forwarded it to the Government for further decision vide letter dated 15.06.2020 (Annexure P-8) but the same is still pending. Hence, the instant petition.

4. Notice of motion. Learned State counsel, on advance service, joins proceedings and accepts notice on behalf of the respondent-State of Haryana and seeks time to file reply.

5. At this stage, learned counsel for the petitioners submits that let a final decision be taken, by the competent authority on the pending representation dated 17.12.2019 (Annexure P-7).

6. 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.

7. 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 representation dated 17.12.2019 (Annexure P7) and also by keeping in view the contentions raised in the present petition by treating the same as supplementary representation and take a decision, in accordance with law.

8. Let the needful be done within a period of three months from today.

9. Disposed of accordingly.

30.09.2021
vandana

(ARUN MONGA)
JUDGE

Whether speaking/reasoned:
Whether reportable:

Yes/No
Yes/No