

124
IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-7921-2021

Date of decision: 08.04.2021

Pritam Singh

.....Petitioner.

vs.

State of Punjab and others

.....Respondents.

(Through video conferencing)

CORAM: - HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: - Mr. Ramesh Chopra, Advocate,
for the petitioner.

Ms. Sunint Kaur, Assistant Advocate General, Punjab.

.....

Harsimran Singh Sethi, J. (oral)

Learned counsel for the petitioner argues that respondent No. 4-Manjit Singh was junior to the petitioner but his services were regularized on 26.10.2015 whereas, the benefit of the regularization of service has been given to the petitioner vide order dated 13.03.2020 (Annexure P-4) and that too prospectively.

Learned counsel submits that once, respondent No. 4 who was junior to the petitioner in service has been granted the benefit of regularization of his service from the year 2015, the petitioner being senior to him is also entitled for the same.

Learned counsel prays that a direction be issued to the respondents to grant the benefit of regularization of the services to the petitioner with effect from the date the services of respondent No. 4 were regularized.

On being pointed out whether, the grievance as raised in the present petition has been raised before the respondent authorities, the learned counsel for the petitioner submits that unfortunately the petitioner has only filed the present writ petition.

In the present petition, issuance of writ of mandamus has been sought. For issuance of a writ of mandamus, there has to be a right within the employee and the employee should have asserted the said right before the authority. In the present petition, the petitioner has never approached the respondent authorities raising his grievance as raised in the present petition.

Faced with this situation, learned counsel for the petitioner submits that he be allowed to withdraw the present petition with liberty to the petitioner to approach the respondents at the first instance, raising the grievance as raised in the present petition.

Ordered accordingly.

(HARSIMRAN SINGH SETHI)
JUDGE

08.04.2021

preeti

whether speaking/non speaking

whether reportable/non reportable

yes/no

yes/no