

[111] IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-16033-2021

Date of Decision :07.12.2021

Kuldeep Singh and Ors

...Petitioners

Versus

State of Punjab and Ors.

....Respondents

Coram : Hon'ble Mr. Justice B.S. Walia

Present : Ms. Kamlesh, Advocate for
Mr. Parminder Singh, Advocate for the petitioners.

B.S. Walia, J. (VC)

[1] Case is being taken up for hearing through Video Conferencing due to Covid-19 pandemic.

[2] Prayer in the petition under Articles 226 / 227 of the Constitution of India is for the issuance of a writ in the nature of Mandamus directing the respondents to grant seniority, pay-fixation and notional consequential benefits with effect from the date when the other candidates out of the same advertisement were allowed to join as Constables.

Further prayer is for the issuance of a writ in the nature of Mandamus directing the respondents to release the arrears of pay with interest after re-fixing the salary of the petitioners at par with the other category candidates who were appointed prior to the petitioners.

[3] At the outset, learned counsel contends that the petitioners have moved representation, Annexure P/4 dated 15.01.2021, but no decision has been taken on the same till date, therefore, in the

disposed of by directing respondent No.2 to consider and decide the claim made in representation, Annexure P/4 dated 15.01.2021 in a time bound manner.

[4] Notice of motion to respondent No.2 only.

[5] Ms. Deepali Puri, Addl. A.G., Punjab accepts notice on behalf of respondent No.2 and on perusal of the writ petition states that the claim is highly belated as the relief sought is with effect from the year 2012 but the representation has been filed only in January 2021 while the writ petition has been filed in December, 2021. Learned State counsel, however, states that she has no objection to the limited prayer made by learned counsel for the petitioners.

[6] I have considered the submissions of learned counsel for the parties, perused the record and in view of the nature of order proposed to be passed, there is no necessity to seek reply in the matter. Accordingly, in the light of the position noted above and in view of the statement of learned counsel for the parties, but without commenting upon the merits of the case, the writ petition is *disposed of* by directing respondent No.2 to consider and decide the representation, Annexure P/4 dated 15.01.2021 in accordance with law after taking into account all aspects of the matter including delay, if any, in seeking redress within four months from the date of receipt of certified copy of the order.

(B.S. Walia)
Judge

07.12.2021

'Amit'