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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-16071-2020

Date of decision: March 15, 2021

Bulara Singh and others

.....Petitioners

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present:- Mr. Jasbir Singh Mohri, Advocate for the petitioners.

Mr. Charanpreet Singh, AAG Punjab.

MAHABIR SINGH SINDHU, J

Present petition has been filed under Article 226 of the Constitution of India for issuance of a writ in the nature of Mandamus directing the respondents to count daily wage service of the petitioners rendered before their respective regularization as qualifying service for all intents and purposes.

In pursuance of notice of motion issued by this Court, reply by way of affidavit dated 08.01.2021 of Kashmir Singh Gill, PPS, Commandant, 6th India Reserve Battalion Ladha Kothi, Sangrur has already been filed and paras-4 & 6 of the same read as under: -

“4. That the case of the petitioners is fully covered under the judgment dated 31.08.2010 passed by the Hon'ble High Court of Punjab and Haryana, Chandigarh in Civil Writ Petition No.2371-2010 titled as Harbans Lal versus State of Punjab and others.

6. That the particulars mentioned in the present civil writ petition have been verified with the service record of the petitioners and it has been found that petitioner had rendered

daily wage service as Special Police Officers before his absorption as constable in the police department. Hence, the instant writ petition squarely covered by the judgment dated 31-08-2010 passed by this Hon'ble High Court in CWP No.2371 of 2010 titled as Harbans Lal versus State of Punjab and others”.

Perusal of extracted portion of above reply clearly reveals that respondents themselves have conceded that case of the petitioners is fully covered with the judgment dated 31.08.2010 passed by the Division Bench of this Court, in CWP-2371-2010 titled as 'Harbans Lal versus State of Punjab and others'.

In view of stand taken by respondents, this Court has no option except to allow the present writ petition.

As a result thereof, writ petition is allowed in terms of order dated 31.08.2010 passed by the Division Bench of this Court, in CWP-2371-2010 titled as 'Harbans Lal versus State of Punjab and others'.

(MAHABIR SINGH SINDHU)
JUDGE

March 15, 2021

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Whether speaking/ reasoned: Yes/No

Whether Reportable: Yes/No