

CWP No.22185 of 2021

Date of Decision : 26.11.2021

Jaswinder Singh and others

...Petitioners

Versus

State of Punjab and others

....Respondents

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

Present : Mr.Gagneshwar Walia, Advocate for the petitioner.

B.S. Walia, J. (Oral)

[1] Prayer in the writ petition under Article 226 of the Constitution of India, is for the issuance of a writ in the nature of Mandamus for directing the respondents to count the Entire Daily wage service of the petitioners as Special Police Officer (SPOs) rendered prior to their regularization/enlistment as Constables as qualifying service for the purposes of pensionary/service benefits in view of the matter being squarely covered by the decision of the Division Bench of this Court dated 31.08.2010 in CWP No.2371 of 2010 in case titled as 'Harbans Lal versus State of Punjab', as well as judgment dated 07.01.2016 in CWP No.24472 of 2015 in case titled as 'Constable Rajesh Kumar and others versus State of Punjab' i.e. Annexure P-3, besides judgment (Annexure P-4) dated 09.05.2016 in R.A. No.143 of 2016 in CWP No.24472 of 2015 in case of similarly situated persons.

[2] At the outset, learned counsel contends that the petitioners have submitted representation (Annexure P/6) dated 18.09.2021, to respondent No.2, but no decision has been taken in respect thereto till date, therefore, in

the circumstances, the petitioners would be satisfied, if the writ petition is disposed of by directing respondent No.2 to consider and decide the claim made in representation (Annexure P/6) dated 18.09.2021, in accordance with law, in a time bound manner.

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

[4] Ms. Anju Arora, learned Addl. AG, Punjab, accepts notice on behalf of respondent No.2 and on perusal of the writ petition states that she has no objection to the limited prayer made by learned counsel for the petitioners.

[5] I have considered the submissions of learned counsel for the parties, gone over the paper book and in view thereof as well as statement of learned counsel for the parties but without expressing any opinion on the merits of the case, *dispose of* the writ petition by directing respondent No.2 to consider and decide the claim made in the representation (Annexure P/6) dated 18.09.2021, in accordance with law after taking into account all aspects of the matter, within four months from the date of receipt of certified copy of this order.

(B.S. Walia)
Judge

26.11.2021
'Rajneesh'

Whether speaking/ reasoned :	Yes/No
Whether reportable :	Yes/No