

CWP-22721-2021

Date of Decision : 10.11.2021

Rajinder Kumar

...Petitioner

Vs.

State of Punjab and others

...Respondents

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

Present : Mr. K.K. Thakur, Advocate for the petitioner.

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**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 consider the claim of the petitioner for granting benefit of notional seniority to the petitioner from the date of appointment of the candidates of his batch i.e. 29.10.2021 along with salary and allowances for the period 03.03.2015 to 25.05.2016 i.e. from the date of correction of the merit list till the date of appointment as the same relief has already been granted to similarly situated Constable Sukhwinder Singh No.117/Ferozepur by respondent No.3 vide order Annexure P/5 dated 28.07.2020, in terms of order dated 27.02.2016, passed in CWP No.21716-2013.

3. Learned counsel contends that the petitioner has served a legal notice, Annexure P/6 dated 20.09.2021 in respect of his grievances which are the subject matter of the writ petition, but no decision has been taken on the same till date and that 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 the legal notice, Annexure P/6 dated 20.09.2021, in a time bound manner.

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

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

6. Accordingly, 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 claim made in legal notice, Annexure P/6 dated 20.09.2021 in accordance with law after taking into account all aspects of the matter within 3 months from the date of receipt of certified copy of the order.

**(B.S. Walia)**  
**Judge**

10.11.2021

*ps*

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| <i>Whether speaking/ reasoned</i> | : | <i>Yes/No</i> |
| <i>Whether reportable</i>         | : | <i>Yes/No</i> |