

CWP-24506-2021

Date of Decision : 02.12.2021

Raj Bahadur

...Petitioner

Versus

State of Punjab and others

....Respondents

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

Present : Mr. Baljeet Singh Sidhu, Advocate for the petitioner.

B.S. Walia, J. (Oral)

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, order or direction especially in the nature of Mandamus directing the respondents to consider the claim of the petitioner for regularization in view of the law laid down by Hon'ble the Supreme Court in **The Secretary, State of Karnataka vs. Uma Devi 2006 (2) SCT 462** as was done in the case of similarly situated employees by the department vide order Annexure P/2 dated 12.10.2009 and P/4 dated nil.
3. At the outset, learned counsel states that the petitioner has submitted representation Annexure P/7 dated 22.09.2021, in respect of the grievances which are the subject matter of the instant petition but the same has not been decided till date therefore in the circumstances, the petitioner would be satisfied if the writ petition is disposed of by directing respondent No.4 to consider and decide representation Annexure P/7 dated 22.09.2021, in accordance with law, in a time bound manner.

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

5. Mr. Ayush Sarna, AAG, Punjab, accepts notice on behalf of respondent No.4 and on perusal of the writ petition states that he 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 paperbook and in view of the nature of order being passed, there is no necessity to seek reply in the matter. Accordingly, in view of the facts and circumstances of the case as also statement of learned counsel for the parties, but without expressing any opinion on the merits of the case, the writ petition is disposed of by directing respondent No.4 to consider and decide the claim made in representation/legal notice Annexure P/7 dated 22.09.2021, in accordance with law after taking into account all aspects of the matter, including delay if any in invoking the jurisdiction of the Court, within four months from the date of receipt of certified copy of this order.

(B.S. Walia)
Judge

02.12.2021

rajesh

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