

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

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CWP-5705-2022

Date of decision : 22.03.2022

KEWAL KRISHAN SHARMA AND ORS.

..... Petitioners

VERSUS

STATE OF PUNJAB AND OTHERS

..... Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present :- Mr. Harish Sharma, Advocate
for the petitioners.

Harsimran Singh Sethi, J. (Oral)

Learned counsel for the petitioners argues that the petitioners are similarly situated as the respondents in **LPA No.352 of 2014 titled State of Punjab and others Vs. A. P. Sharma and others, decided on 31.08.2016,** but the said judgment of this Court is not being applied on the petitioners on the ground that the petitioners were not party to the said petition. Learned counsel for the petitioners further submits that keeping in view the settled principle of law settled by the Division Bench of this Court in **CWP No.4382 of 2002 titled Satbir Singh Vs. State of Haryana,,** once the question of law has been settled by the Court, the same is to be made applicable on all the similarly situated persons without forcing anyone to approach the Court.

Learned counsel for the petitioners further submits that the petitioners have already raised the grievance as raised in the present petition with the respondents in the legal notice dated 01.11.2021 (Annexure P/8) which is still pending consideration with the authorities concerned and the

petitioners will be satisfied, at this stage, in case a time bound direction is issued to respondent No.2 to decide the said representation by passing an appropriate speaking order.

Notice of motion.

Mr. Navdeep Chhabra, DAG, Punjab, accepts notice on behalf of respondents-State and states that the legal notice dated 01.11.2021 (Annexure P/8) submitted by the petitioners will be decided within a period of eight weeks from today and in case, after the decision, it is found that any action needs to be taken, the same will also be taken without any further delay.

In view of the above, without expressing any opinion on the merits of the case or the claim being made by the petitioners, respondent No.2 is directed to decide legal notice dated 01.11.2021 (Annexure P/8) submitted by the petitioners by passing a speaking order within a period of eight weeks from the date of receipt of a copy of this order and in case, the petitioners are found entitled for the relief, the same will also be released within a period of next four weeks.

Present writ petition stands disposed of.

(HARSIMRAN SINGH SETHI)
JUDGE

22.03.2022

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Whether speaking/reasoned	Yes
Whether Reportable :	No