

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

CWP No.6385 of 2022 (O&M)

Date of decision: 29.03.2022

Manish Kumar and others

... Petitioners

Versus

State of Punjab and others

....Respondents

Coram: Hon'ble Mr. Justice Arun Monga

Present:- Mr. J.S.Mohri, Advocate,
for the petitioners.

Ms. Parul Khanna, AAG, Punjab.

ARUN MONGA, J. (ORAL)

Petitioners herein seek issuance of a writ in the nature of mandamus directing the respondents to count their service period prior to their regularization towards qualifying service for the purpose of pensionary/retiral benefits.

2. Learned counsel for the petitioners states that case of the petitioners is squarely covered by the judgment of this Court rendered in ***CWP No. 2371 of 2010*** titled as ***Harbans Lal Vs. State of Punjab and others*** decided on 31.08.2010 (Annexure P-4). He further submits that petitioners caused issuance of a legal notice dated 28.09.2021 (Annexure P-11) but to no avail. Hence, the instant petition.

3. On advance service, learned State counsel appears and opposes issuance of notice of motion and submits that competent authority shall take decision either way, on the pending legal notice of the petitioner, in due course.

4. Learned counsel for the petitioners also agrees that let a final decision be taken, by the competent authority on the pending legal notice of the petitioners.

5. Given the nature of order being passed, there is no necessity to seek return by any of the respondents as no further proceedings and/or pleadings are required.

6. Without commenting on the merits of the case, the writ petition is disposed of with a direction to the competent authority to look into the grievance of the petitioners as per legal notice dated 28.09.2021 (Annexure P-11) and also contentions raised in the present petition by treating the same as supplementary representation and take a decision, in accordance with law.

7. Let the needful be done within a period of 3 months from today.

8. Disposed of accordingly.

29.03.2022
vandana

(Arun Monga)
Judge

Whether speaking/ reasoned:
Whether Reportable:

Yes/No
Yes/No