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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-11148-2022
Date of decision: 23.05.2022

DALWINDER KAUR AND ORS

...Petitioners

VERSUS

STATE OF PUNJAB AND ORS

...Respondents

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Jasbir Singh Mohri, Advocate
for the petitioners.

JAISHREE THAKUR, J. (Oral)

This is a petition that has been filed under Articles 226/227 of the Constitution of India for issuance of an appropriate writ, order or direction especially in the nature of mandamus directing the respondents to count the daily wage of Special Police Officer (SPO) service of the petitioners, rendered before their respective regularization as qualifying service for the purpose of pensionary/retiral benefits, as the same benefit has been granted by this Court in view of Harbans Lal's judgment to similarly situated persons in *CWP No.9936 of 2017*, titled as "*Sukhjeet Singh and others versus State of Punjab and others*", decided on 15.02.2018 and *CWP No.7127 of 2019*, titled as "*Jarnail Singh and others versus State of Punjab and others*", decided on 01.04.2019 (Annexures P-7 and P-8) and the same has been complied by the respondent-Department vide Annexure P-9 and Annexure P-10. In this regard, a legal notice dated

08.04.2022 (Annexure P-11) has been given by the petitioners to the official respondents, but till date no decision has been taken thereon.

Notice of motion to the official respondents only.

Mr. Pawan Sharda, Sr. DAG, Punjab, who is present in Court, accepts notice on behalf of the official respondents and submits that the official respondents will look into the matter and will take a decision on the legal notice of the petitioners. Let sufficient number of copies of the complete paper book be supplied to him during the course of day.

Without commenting on merits of the case, the present petition is disposed of with a direction to the official respondents to decide the legal notice dated 08.04.2022 (Annexure P-11) of the petitioners within a period of six months from the date of receipt of the certified copy of this order, in accordance with law and convey the decision to the petitioners. In case of failure to do so, the officer responsible for the lapse would be liable to costs of Rs.20,000/- from his personal pocket, to be deposited with the Punjab and Haryana High Court Advocates Welfare Fund.

23.05.2022
Chetan Thakur

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No