

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

Sr. No.121

CWP No.11396 of 2022

Date of Decision: 25.05.2022

Yogender Pal Singh

.... Petitioner

Versus

State of Haryana and others

... Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Gaurav Tyagi, Advocate
for the petitioner.

HARSIMRAN SINGH SETHI, J. (ORAL)

Learned counsel for the petitioner argues that the question of law raised in the present petition has already been answered by Hon'ble Division Bench of this Court in **CWP No.19641 of 2009** titled **R.K.Aggarwal and others versus State of Haryana and others**, decided on 21.12.2012.

Learned counsel submits that though the petitioner in the present petition is similarly situated as the petitioners in **R.K.Aggarwal (supra)**, but the benefits have not been extended to the present petitioner on the ground that he was not party to the said petition.

Learned counsel for the petitioner argues that keeping in view the settled principles of law laid down by Hon'ble Division Bench of this Court in **CWP No.4382 of 2002** titled **Satbir Singh and another versus State of Haryana and others**, decided on 21.03.2002, once the question of law has been settled by the competent authority, the same should be applied upon all the similarly situated employees, rather than forcing each and every employee to approach the Court for the same benefit.

Learned counsel submits that the respondents are liable to be directed to grant the petitioner the benefits as extended to the petitioners in *R.K.Aggarwal (supra)*.

Learned counsel further submits that the petitioner has already raised the said grievance before the respondents by way of filing a representation dated 05.03.2022 (Annexure P-10), which is still pending consideration with the respondents and the petitioner 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. Raman Kumar Sharma, Additional Advocate General, Haryana accepts notice on behalf of the respondents and raises no objection in deciding the representation dated 05.03.2022 (Annexure P-10) in a time bound manner by passing an appropriate speaking order.

Without commenting upon the merits of the case or about the entitlement of the petitioner for the relief which has been claimed by him in the representation dated 05.03.2022 (Annexure P-10), the present writ petition is disposed of with a direction to respondent No.2 to decide the representation dated 05.03.2022 (Annexure P-10) by passing an appropriate speaking order within a period of 8 weeks from the receipt of copy of this order and in case, after passing the speaking order, the petitioner is found entitled for any relief, the same will be extended to him within a period of 4 weeks thereafter.

(HARSIMRAN SINGH SETHI)
JUDGE

25.05.2022
Maninder

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