

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

Sr. No.122

CWP No.11398 of 2022

Date of Decision: 25.05.2022

SPO Ajit Singh

.... Petitioner

Versus

State of Punjab and another

... Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

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

HARSIMRAN SINGH SETHI, J. (ORAL)

Learned counsel for the petitioner argues that keeping in view the orders passed by this Court, copies of which have been attached as Annexures P-3, P-7 and P-8, the petitioner was entitled for consideration of his case while being similarly situated for being promoted as Constable, especially for the reason that the petitioner worked for 19 years as SPO.

Learned counsel for the petitioner further relies upon the judgment of Hon'ble Supreme Court of India rendered in **Civil Appeal No.6798 of 2019** titled **Prem Singh versus State of Uttar Pradesh and others**, decided on 02.09.2019, according to which, if an employee has worked for two decades and has retired without regularization, the said employee may be treated as a regular employee for the grant of pensionary benefits.

Learned counsel for the petitioner further submits that the petitioner has already raised the said grievance before respondent No.2 by serving upon them a legal notice dated 25.02.2021 (Annexure P-9), which is still pending consideration with respondent No.2 and the petitioner will be satisfied at this stage, in case a time bound direction is issued to the respondent No.2 to decide the said legal notice by passing an appropriate

Notice of motion.

Ms. Ambika Bedi, Assistant Advocate General, Punjab accepts notice on behalf of the respondents and raises no objection in deciding the legal notice dated 25.02.2021 (Annexure P-9) 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 legal notice dated 25.02.2021 (Annexure P-9), the present writ petition is disposed of with a direction to respondent No.2 to decide the legal notice dated 25.02.2021 (Annexure P-9) within a period of 3 months from the receipt of copy of this order.

(HARSIMRAN SINGH SETHI)
JUDGE

25.05.2022
Maninder

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