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

CWP-15276-2019 (O&M)

Date of decision: 02.08.2022

ROADWAYS KARAMCHARI JAGRITI MANCH	...Petitioner
VS	
STATE OF HARYANA AND OTHERS	...Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present: Mr. Ravi Sharma, Advocate,
For the petitioner.

Mr. R.K.S.Brar, Additional A.G., Haryana.

ARUN MONGA, J. (ORAL)

CM-3359-CWP-2020

Application is allowed, as prayed for.

Replication along with Annexures P-4 and P-5 is taken on record,
subject to all just exceptions.

Main case

Petition herein, *inter alia*, is for issuance of a writ in the nature of mandamus directing the respondents to implement the provisions of Motor Transport Workers Act, 1961 and rules framed thereunder and extend all the benefits to the employees of Haryana Roadways working in the Operational Wing of Haryana Roadways.

2. Learned counsel for the petitioner submits that petitioners qua their aforesaid grievance caused issuance of a legal notice dated 02/03.02.2019 (Annexure P-3) but to no avail. Hence, the instant petition.

3. I have heard learned counsel for the parties and gone through the case file.

4. Learned State counsel relies on reply stating that statutory rules prescribe for the benefit in case of regular recruited operational and technical staff under the Factories Act, not under Motor Transport Workers, 1961 with regard to working hours, holidays and leaves. He further submits that competent authority shall take decision either way on the pending legal notice dated 03.02.2019 (Annexure P-3).

5. At this stage, learned counsel for the petitioner also agrees that let a final decision be taken, by the competent authority on the pending legal notice dated 03.02.2019 (Annexure P-3).

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 petitioner as per legal notice dated 03.02.2019 (Annexure P3) and take a decision, in accordance with law, as expeditiously as possible.

7. Disposed of accordingly.

(ARUN MONGA)
JUDGE

August 02, 2022

vandana

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No