

109.

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

CWP-15122-2022

Date of Decision: 23.08.2022

HARJINDER KUMAR 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 Article 226/227 of the Constitution of India for issuance of appropriate writ, order or direction especially in the nature of mandamus directing the respondents to count the daily wage service of the petitioners rendered before their respective regularization as qualifying service for the purpose of pensionary/retiral benefits, in view of law laid down in CWP No.2371 of 2010, titled as *Harbans Lal Versus State of Punjab and others*, decided on 31.08.2010, which was upheld by the Hon'ble Supreme Court.

Counsel appearing on behalf of the petitioners would contend that for their grievance, the petitioners have already given a representation dated 18.05.2022, Annexure P-9, to the respondents, but till date no decision has been taken thereon. He would submit that at this stage, the petitioners would be satisfied in case their representation is decided, in accordance with law, in a time bound manner.

Notice of motion.

At this stage, Ms. Deepali Puri, Additional Advocate General, Punjab, who is present in Court, accepts notice on behalf of the respondents and submits that the respondents will look into the matter and will take a decision on the representation of the petitioners.

Let sufficient number of copies of the complete paper book be supplied to her during the course of day.

Without commenting on merits of the case, the present petition is disposed of with a direction to the respondents to decide representation dated 18.05.2022, Annexure P-9 of the petitioners within a period of four months from the date of receipt of 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.

(JAISHREE THAKUR)
JUDGE

23.08.2022

sanjeev

Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No