

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

109

CWP No.17362 of 2022

Date of Decision: 21.09.2022

Gurmeet Kaur and another

...Petitioners

Versus

The Punjab Mandi Board and others

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS SURI

Present:- Mr. R.K. Arora, Advocate, for the petitioners.

VIKAS SURI, J. (Oral)

At the outset, learned counsel for the petitioners restricts his prayer to seek decision on the legal notice dated 24.05.2022 (Annexure P-20), in a time bound manner.

Learned counsel would submit that the petitioners are widow and son, respectively, of deceased Amrik Singh, who had joined service on daily wage basis with the first respondent on 06.12.1993 and was thereafter made work charge/work authority and was also given minimum scale w.e.f. 01.07.1999. Thereafter, he was given full pay w.e.f. 01.05.2000.

The case of Amrik Singh along with his other colleagues was under consideration for regularization, which came to be finally considered much later in the year 2011, in terms of policy dated 23.01.2001. Unfortunately, Amrik Singh died on 24.03.2003. Since the date of his appointment on 06.12.1993 till his demise, there was no break in his service.

The petitioners seek parity with similarly situated claimants whose predecessor-in-interest was also regularized after their passing away and while giving deemed date of regularization corresponding to when the

incumbent was alive and as such family pension was granted to the dependant family.

Learned counsel would further point out that one Balkar Singh son of Nirjan Singh was junior to Amrik Singh, whose family has been granted the benefit and even on that basis, the claim of the petitioner deserves to be allowed. A comprehensive representation by way of legal notice has already been made on behalf of the petitioners, which is pending consideration with the Board.

In view of the fact that the claim is still pending consideration with the respondents, the present petition is liable to be disposed with a direction to the respondents to decide the aforesaid legal notice in accordance with law within a stipulated time.

Without expressing any opinion or going into the merits of the case or the claim being made by the petitioner in the present petition or in the legal notice, respondent No.2/Competent Authority is directed to consider and decide the claim made in the legal notice dated 24.05.2022 (Annexure P-20), in accordance with law, by passing a speaking order within a period of eight weeks from the date of receipt of certified copy of this order.

Needless to observe that in case, after the decision, petitioners are found entitled for any benefits, the same be released to them within a period of six weeks thereafter, as per law.

The petition stands disposed of in the aforesaid terms.

(VIKAS SURI)
JUDGE

September 21, 2022
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Whether speaking/reasoned	Yes
Whether reportable	No