

112.

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

CWP-24766-2022

Date of Decision: 28.10.2022

KHANIAYA RAM AND ANOTHER

.... Petitioners

Versus

STATE OF PUNJAB AND OTHERS

.... Respondents

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Sukhwinder Singh Dhillon, Advocate,
for the petitioners.

JAISHREE THAKUR.J (Oral)

This is a petition that has been filed under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of mandamus directing the respondents to count the daily wage service of the petitioners rendered before their regularization as qualifying service for the purpose of pensionary/retiral benefits, as the same benefit has been granted by this Court in view of judgment passed in CWP No.2371 of 2010, titled as *Harbans Lal Versus State of Punjab and others*, decided on 31.08.2010 (Annexure P-4) to similarly situated persons in CWP No.25106 of 2012 and other cases, decided on 05.02.2015 (Annexure P-4) and CWP No.17656 of 2017, titled as *Chander Bahadur and others Versus State of Punjab and others*, decided on 06.09.2017 (Annexure P-6).

Counsel appearing on behalf of the petitioners would submit that for their grievance, the petitioners have already given a representation dated

12.07.2022, Annexure P-7, to the respondents, but 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 a time bound manner, in accordance with law.

Notice of motion.

On the asking of the Court, Mr. Mohit Kapoor, Additional Advocate General, Punjab, 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 him 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 12.07.2022, Annexure P-7, of the petitioners within a period of three 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

28.10.2022
sanjeev

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