

122.

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

CWP-25777-2022

Date of Decision: 14.11.2022

RAJINDER KUMAR

.... Petitioner

Versus

STATE OF PUNJAB AND OTHERS

.... Respondents

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Ms. Komal Thakur, Advocate, for
Mr. Krishan Kumar Thakur, Advocate, for the petitioner.

JAISHREE THAKUR.J (Oral)

This is a petition that has been filed under Article 226 of the Constitution of India for issuance of appropriate writ, order or direction especially a writ in the nature of mandamus directing the respondents to count the service rendered by the petitioner as SPO as qualifying service for all intents and purposes, including grant of all service benefits as well as qualifying service for the purpose of pensionary benefits, as the same benefit has been granted by this Court to similarly situated persons vide order dated 15.02.2018 passed in CWP No.9936 of 2017 titled as *Sukhjeet Singh and others Versus State of Punjab and others* (Annexure P-6) and the same has been complied by the respondent department vide orders dated 11.12.2018 and 17.12.2018 (Annexure P-7).

Counsel appearing on behalf of the petitioner would submit that in this regard, the petitioner has already served a legal notice dated

08.04.2022 (Annexure P-10) upon the respondents, but till date, no decision has been taken thereon. She would submit that at this stage, the petitioner would be satisfied in case the said legal notice is decided in a time bound manner, in accordance with law.

Notice of motion.

On the asking of the Court, Ms. Deepali Puri, Additional Advocate General, Punjab, who is present in Court, accepts notice on behalf of the respondents.

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

Without commenting on merits of the case and keeping in view the limited prayer made by counsel appearing on behalf of the petitioner, the present petition is disposed of with a direction to the respondents to decide legal notice dated 08.04.2022 (Annexure P-10) of the petitioner 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 petitioner. 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

14.11.2022

sanjeev

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No