

126.

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

CWP-28662-2022

Date of Decision: 13.12.2022

SUKHDEV RAJ AND OTHERS

.... Petitioners

Versus

STATE OF PUNJAB AND OTHERS

.... 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 a writ in the nature of mandamus directing the respondents to count the daily wage as Special Police Officer (SPO) service of the petitioners, rendered before their respective 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.9936 of 2017 titled as *Sukhjeet Singh and others Versus State of Punjab and others*, decided on 15.02.2018 (Annexure P-7) and CWP No.7127 of 2019, titled as *Jarnail Singh and others Versus State of Punjab and others*, decided on 01.04.2019 (Annexure P-8).

Counsel appearing on behalf of the petitioners would contend that in this regard, a legal notice dated 26.05.2022 (Annexure P-11) has already been served by the petitioners upon the respondents, but till date, no decision has been taken thereon. Counsel would submit that at this stage, the petitioners would be satisfied in case their 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, accepts notice on behalf of the respondents.

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 and keeping in view the limited prayer made by counsel for the petitioners, the present petition is disposed of with a direction to the respondents to decide legal notice dated 26.05.2022 (Annexure P-11) of the petitioners within a period of six 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

13.12.2022
sanjeev

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