

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

CWP-1851-2023

Date of decision : 31.01.2023

Dev Krishan and others

..... Petitioners

versus

State of Punjab and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE PANKAJ JAIN

Present: Mr. Jasbir Singh Mohri, Advocate
for the petitioners.

PANKAJ JAIN, J. (Oral)

Present petition has been filed under Article 226/227 of the Constitution of India praying for issuance of writ in the nature of mandamus directing the respondents to count service rendered by the petitioner as Special Police Officer (SPO) on daily wages, rendered before their respective regularization for the purpose of pensionary/retiral benefits in view of law laid down by this Court in *Harbans Lal Vs. The State of Punjab & others*.

2. Learned counsel for the petitioners at the outset confines his prayer for deciding legal notice dated 18.10.2022 (Annexure P-11). He submits that at this stage, petitioners would be satisfied, if the said legal notice is decided by passing a speaking order within a time bound frame.

3. Notice of motion.

4. On the asking of the Court Mr. Inderpreet Singh Kang, AAG, Punjab, who is present in Court accepts notice on behalf of the respondents. He submits that respondent No.2/competent authority will look into the matter and will take a decision on the claim raised by the petitioners in the legal notice in the light of P-7 and P-8, in accordance with law.

5. I have heard learned counsel for the parties and have gone through the record of the case.

6. Without expressing any opinion on the merits of the case or the claim being made by the petitioners in the present petition, respondent No.2-Competent Authority is directed to consider and decide the claim made in the legal notice 18.10.2022 (Annexure P-11), in accordance with law, by passing a speaking order within a period of three months from the date of receipt of certified copy of this order. In case, the petitioners are found entitled, their claim be released within a period of six weeks thereafter.

7. The petition stands disposed off.

(PANKAJ JAIN)
JUDGE

31.01.2023

Dinesh

Whether speaking/reasoned : Yes

Whether Reportable : No