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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No.6081 of 2023 (O&M)

Date of decision : 23.03.2023

Jagar Singh

..... Petitioner

versus

State of Punjab & ors.

..... Respondents

CORAM : HON'BLE MR.JUSTICE PANKAJ JAIN

Present :- Mr. Vaneet Soni, Advocate
for the petitioner.

PANKAJ JAIN, J. (ORAL)

Present writ petition has been filed for issuance of writ in the nature of Certiorari for quashing the impugned orders dated 14.10.2013 (Annexure P-5) and 05.12.2013 (Annexure P-6) passed by respondent No.2.

Learned counsel for the petitioner submits that the observations made in the judgment passed in LPA No.411 of 2017 titled as *State of Punjab & anr. Vs. Gulzar Singh & ors.* decided on 10.02.2023 are not to be read in persona and thus the benefit cannot be confined only to the writ petitioners. Pursuant to the said judgment, petitioner filed representation dated 14.02.2023 (Annexure P-12) which is pending consideration before the authorities. He submits that at this stage, petitioner would be satisfied, if the said representation is decided by passing a speaking order within a time bound frame.

Notice of motion.

Mr. Sehajbir S.Aulakh, Asstt. A.G., Punjab appears and accepts notice on behalf of the respondents-State. He submits that the claim of the

petitioner in the representation (Annexure P-12) is under active consideration and the same will be decided within a period of 12 weeks from the date of receipt of certified copy of this order.

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

Without expressing any opinion on the merits of the case or the claim being made by the petitioner in the present petition, respondent No.2-Competent Authority is directed to consider and decide the claim made in the representation (Annexure P-12), in terms of the observations made by Division Bench in *Gulzar Singh's case supra* within the time period as stipulated hereinabove.

Needless to say that in case the authorities feel that the claim of the petitioner does not merit acceptance, the same shall be adjudicated by passing a speaking order in accordance with law after affording opportunity of hearing to the petitioner.

The petition stands disposed off.

(PANKAJ JAIN)
JUDGE

23.03.2023

Pooja sharma-I

Whether speaking/reasoned
Whether Reportable :

Yes
No