

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

CWP-6449-2023

Date of decision : 27.03.2023

Gurlal Singh

....Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE PANKAJ JAIN

Present : Mr. Jastaran Chhatwal, Advocate for
Mr. Shruti Sharma, Advocate for the petitioner.

PANKAJ JAIN, J. (ORAL)

Present writ petition has been filed under Article 226/227 of the Constitution of India by the petitioner seeking issuance of writ in the nature of mandamus directing the respondents to count the service rendered by the petitioner as Special Police Officer (SPO) before his regularization for the purpose of pensionary benefits, as the same has been granted by this Court vide judgment dated 7th of January, 2016 passed in CWP No.24472 of 2015 titled as **Constable Rajesh Kumar and others vs. State of Punjab and another.**

2. Ld. Counsel for the petitioner at the outset contends that the legal notice served at the behest of the petitioner through his counsel is pending adjudication with the authorities and the same has been appended along with the present petition at Annexure P-3 and he limits his prayer for adjudication thereof in the light of the judgment rendered in **Constable Rajesh Kumar's case (supra).**

3. Notice of motion.

4. On asking of the Court, Mr. Sehajbir S. Aulakh, Asstt. Advocate General, Punjab accepts notice on behalf of the official respondents.

5. Without commenting on the merits of the case, the present petition is disposed off with a direction to respondent No.1 to decide the legal notice dated 9th of January, 2023 (Annexure P-3) served at the behest of the petitioners by passing a speaking/reasoned order taking into consideration the judgment rendered in Rajesh Kumar's case (supra) within a period of 8 weeks from the date of receipt of certified copy of this order. In case of failure to do so, the officer responsible for the lapse would be liable to pay costs of Rs.20,000/- from his personal pocket, to be deposited with the Punjab and Haryana High Court Advocates Welfare Fund.

March 27, 2023

Dpr

(PANKAJ JAIN)

JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No