

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

CWP-8785-2023

Date of decision : May 17, 2023

Eshan Bansal and others

..... Petitioners

Versus

State of Punjab and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE PANKAJ JAIN

Present :-Mr. Raj Karan Singh, Advocate
for the petitioners.

Mr. Aman Dhir, DAG., Punjab.

Mr. Ferry Sofat, Advocate
for respondent Nos. 2 to 6.

PANKAJ JAIN, J. (ORAL)

1. Present petition has been filed under Article 226 of the Constitution of India praying for issuance of writ in the nature of mandamus in the form of direction to the respondents to treat the petitioner as having been appointed on 05.03.2014.

2. Learned counsel for the petitioner submits that the positive case of the petitioners is that the petitioners along with other technical subordinates were appointed through Common Selection Process initiated vide public notice bearing No.276/2012 dated 05.03.2014. The appointment letters were issued in different batches starting from 05.03.2014. The said process was followed by the Corporation for its own convenience. However, with the

efflux of time the same is being used to deny the claim of the petitioners from the date similarly situated persons selected along with the petitioners were appointed.

3. He further submits that representation dated 21.04.2023 filed by the petitioners placed on record as Annexure P-12 is still pending adjudication with the respondents. At this juncture, learned counsel for the petitioners confines his prayer for deciding representation dated 21.04.2023 (Annexure P-12). He submits that at this stage, petitioners would be satisfied, if the said representation is decided by passing a speaking order within a time bound frame.

4. Notice of motion.

5. Mr. Ferry Sofat, Advocate on advance notice appears and accepts notice on behalf of the respondents. He submits that the representation dated 21.04.2023 is under active consideration and shall be adjudicated within a period of eight weeks.

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

7. Finding it to be a fair request and without expressing any opinion on the merits of the case or the claim being made by the petitioner in the present petition, respondent-Competent Authority is directed to consider and decide the claim made in the representation dated 21.04.2023 (Annexure P-12), in accordance with law, by passing a speaking order within a period of eight weeks from the date of receipt of certified copy of this order. In case, the respondents feel that the claim of the petitioner merits acceptance, the benefit be granted to him within a period of four weeks thereafter. In case, as per the respondents, the claim of the petitioners deserves to be rejected, the

same be done within the aforesaid period by passing a speaking order in accordance with law.

8. The petition stands disposed off.

May 17, 2023

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Whether speaking/reasoned

Whether Reportable :

(PANKAJ JAIN)

JUDGE

Yes

No