

CWP- 17014-2023 (O&M)

-1-

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

CWP- 17014-2023 (O&M)

Date of Decision:07.08.2023

Shiv Kumar

... Petitioner

V/s.

Punjab State Power corporation Limited and others

... Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK MANCHANDA

Present : Mr. Nikhil Anand, Advocate
for the petitioner.

DEEPAK MANCHANDA, J.(Oral)

Through the instant petition the petitioner has prayed for issuance of a writ in the nature of Mandamus by directing the Respondents to grant deemed date of appointment to the petitioner alongwith all consequential benefits flowing out of said deemed date of appointment (as granted to petitioners in CWP No. 26432 of 2022, CWP No. 25491 of 2022, CWP No. 27810 of 2022, CWP No. 27501 of 2022 vide order dated 09.01.2023 i.e. Annexure P-5) w.e.f., 18.02.2021 i.e. date when the

CWP- 17014-2023 (O&M)

-2-

batchmates of the petitioner alongwith the candidate lower in merit joined the respondent department as Lower-Division Clerk pursuant to Advertisement No. CRA-293/19 dated 05.09.2019 (Annexure P-6) as despite the fact that all the documents of petitioner were found to be in order during document verification, the petitioner was not made to join the respondent department with his batchmates on 18.02.2021 and was made to join respondent department as lower-division clerk on 20.08.021 and the said delay in joining is attributable to the respondent department. The petitioner has in the alternative prayed for issuance of writ in the nature of Mandamus by directing Respondent No.1 to consider and decide the legal notice dated 05.05.2023 (Annexure P-10) in accordance with law in time bound manner.

Learned counsel for the petitioner submits that the petitioner is working as Lower Division Clerk in PSPCL and has prayed for relief of grant of deemed date of appointment, the date on which the batch-mates of the petitioner along with candidate lower in merit joined the respondent Department as LDC. Learned counsel for the petitioner further submits that the petitioner has already raised the said grievance in the legal notice dated 05.05.2023 (Annexure P-10), which is still pending consideration with respondents and the petitioner will be satisfied at this stage, in case a direction is issued to the respondents to decide the same by passing an appropriate speaking order in a time bound manner.

Notice of motion.

At this stage, Mr. Sylvester, Advocate has put in appearance and accepted notice on behalf of the respondents and raise no objection in deciding the legal notice dated 05.05.2023 (Annexure P-10) in a time bound manner by passing an appropriate speaking order.

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

In view of the pleadings in the present petition, without expressing any opinion on the merits of the case or the claim being made by the petitioner in the legal notice, respondents are directed to decide the legal notice dated 05.05.2023 (Annexure P-10), by passing a speaking order within a period of eight weeks from the date of receipt of certified copy of this order.

The petition stands disposed of.

(DEEPAK MANCHANDA)
JUDGE

07.08.2023
seema

Whether speaking/reasoned	Yes
Whether Reportable	Yes /No