

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

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**CWP No. 19317 of 2023
Date of Decision : 1.9.2023**

*Anoop Kumar and another**..... Petitioners**versus**State of Haryana and others**..... Respondents*

CORAM: HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA

Present: Mr. Sanchit Punia, Advocate, for the petitioners

TRIBHUVAN DAHIYA J. (ORAL):

This petition has been filed seeking a writ of *mandamus* directing the respondents to grant benefits (appointment, seniority, pay fixation etc.) to the petitioners with effect from the date their juniors and similarly situated candidates were given such benefits.

2. Learned counsel for the petitioners contends that the petitioners had applied for the post of TGT-Physical Education in response to advertisement no.3 of 2015 dated 28.6.2015 (Annexure P-1). Pursuant to the selection process, they were duly selected and recommended for appointment alongwith other candidates. Many candidates selected alongwith the petitioners, namely, Suman (merit no.160) and Ramesh (merit no.157), and lower in the order of merit, were given appointment vide letter dated 20.2.2019 (Annexure P-2). The petitioners were, however, ignored.

3. It is further contended that some other candidates like the petitioners, had approached this Court by filing CWP No.2571 of 2022 titled *Rajender Kumar v. State of Haryana and others*, claiming the

similar benefits as has been claimed by the petitioners herein. Their petition was disposed of directing the respondents to decide their representation vide order dated 20.7.2022. Pursuant thereto, their claim has been accepted granting benefits of notional pay fixation with seniority w.e.f. 20.2.2019. The petitioners have also served a legal notice dated 29.5.2023 (Annexure P-5), on the respondents seeking same benefits as given to the petitioners in *Rajender Kumar case (supra)*. The same has not been decided so far. At this stage, the petitioners will be satisfied in case the respondents are directed to decide their pending legal notice within a specified time.

4. Notice of motion.

5. Mr. Sanjeev Kaushik, Addl. AG, Haryana, appearing on advance notice, submits that the pending legal notice, dated 29.5.2023, shall be decided by respondent no.2 expeditiously.

6. In view thereof, without commenting upon the merits of the case, the instant petition is disposed of with a direction to respondent no.2 to decide the pending legal notice issued by the petitioners, dated 29.5.2023, in the light of facts submitted by learned counsel for the petitioners by passing a speaking order in accordance with law, within a period of eight weeks from the date of receiving certified copy of this order.

(TRIBHUVAN DAHIYA)
JUDGE

1.9.2023

Ashwani

Whether speaking/reasoned: Yes/No
Whether reportable: Yes/No