

130 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-24996-2023
Date of decision: 06.11.2023

Baldev Singh*Petitioner*

V/s

State of Punjab and others ...*Respondents*

CORAM: HON'BLE MR. JUSTICE DEEPAK MANCHANDA

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

DEEPAK MANCHANDA J. (ORAL)

The instant writ petition has been filed under Article 226/227 of the Constitution of India for issuance of a writ in the nature of mandamus directing the respondent No. 2 to regularize the services of the petitioner w.e.f. 12.01.2022 (date of passing of Resolution dated 12.01.2022 i.e. Annexure P.4 by respondent No. 7 society), as Sewadar in respondent No. 7-Society as the petitioner fulfills all the conditions for regularization and grant of regular pay scale and the case of the petitioner has been forwarded to the office of respondent No.2 on four occasions for regularization and grant of regular pay scale by respondent No. 3 to respondent No.6 with recommendations through proper channel but the respondent No. 2 has not taken any decision on regularization of petitioner as well as grant of regular pay scale to him despite the case of the petitioner falling within Instructions/Letter issued by respondent No.2 himself (date mentioned NIL but stated to be issued on 17.12.2021) (Annexure P-3) for regularization of employees working in Cooperative Societies as well as for grant of regular pay scale to the said employees with further direction to respondents to release arrears

of pay to the petitioner by calculating his pay on regular pay scale as per relevant rules w.e.f., the date of regularization and to take a decision on the case of the petitioner for regularization and grant of regular pay scale to him in terms of applicable rules and instructions (date mentioned NIL but stated to be issued on 17.12.2021 (Annexure P-3)) and to consider and decide the legal notice dated 01.09.2023 (Annexure P-13) in time bound manner in accordance with law.

Learned counsel for the petitioner at the outset prays for deciding the legal notice dated 01.09.2023 (Annexure P-13) served by the peittioner upon respondents expeditiously by passing a speaking order within a time bound manner and also submits that respondent No.2 is the competent authority to decide the legal notice.

Notice of motion.

On asking of the Court, Ms. Jasleen Kaur, DAG Punjab, who is present in the Court, accepts notice on behalf of respondents No. 1 to 6 and has no objection to the prayer made by learned counsel for the petitioner.

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 dated 01.09.2023 (Annexure P-13), respondent No.2 is directed to decide the legal notice in accordance with law, by passing a speaking order within a period of 08 weeks from the date of receipt of certified copy of this order.

The petition stands disposed of.

(DEEPAK MANCHANDA)
JUDGE

06.11.2023
Sapna