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

CWP-27676-2023

Date of decision: 11.12.2023

Gurbachan Singh

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Akhil Dadwal, Advocate for the petitioner.

Mr. Ferry Sofat, Addl. A.G. Punjab.

VIKAS BAHL, J. (ORAL)

1. This is a Civil Writ Petition filed under Article 226/227 of the Constitution of India for issuance of a writ in the nature of mandamus directing the respondents to count the service rendered by the petitioner from the date of initial appointment i.e., 26.06.1985 till the date of his regularization i.e., 13.03.1996.

2. Learned counsel for the petitioner has submitted that for the grievances raised by the petitioner in the present writ petition, the petitioner had given legal notice dated 10.10.2023 (Annexure P-6) and he would be satisfied at this stage, in case, the competent authority of respondent No.1-State is directed to consider the said legal notice dated 10.10.2023 (Annexure P-6) in a time bound manner and in case, the pleas raised by the petitioner are found to be meritorious then to grant necessary relief in accordance with law.

3. Learned State Counsel has submitted that the competent authority of respondent No.1-State would consider the said legal notice dated 10.10.2023 (Annexure P-6) in accordance with law, as expeditiously as possible preferably within a period of three months from the date of receipt of certified copy of the present order.

4. Keeping in view the abovesaid facts and circumstances, the present Civil Writ Petition is disposed of with direction to the competent authority of respondent No.1-State to consider legal notice dated 10.10.2023 (Annexure P-6) in accordance with law within a period of three months from the date of receipt of certified copy of the present order and in case, the pleas raised by the petitioner are found to be meritorious then the competent authority would grant necessary relief, in accordance with law and in case, the competent authority is of the opinion that the pleas raised by the petitioner are not meritorious then a speaking order rejecting the same be passed within a period of three months from the date of receipt of certified copy of the present order.

5. This Court has not opined on the merits of the case and the competent authority of respondent No.1-State would consider the case of the petitioner independently and all the issues including the issue of delay would be kept open and the competent authority of respondent No.1-State would consider all the said aspects while finally adjudicating the case, in accordance with law.

11.12.2023*Pawan***(VIKAS BAHL)
JUDGE****Whether speaking/reasoned:-
Whether reportable:-****Yes/No
Yes/No**