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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-3184-2024

Date of Decision: 13.02.2024

SANJAY AND OTHERS

...Petitioners

Vs.

STATE OF HARYANA AND OTHERS

...Respondents

CORAM:- HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Vikas Sangwan, Advocate and
Ms. Monika Sangwan, Advocate
for the petitioners.

HARSIMRAN SINGH SETHI, J. (Oral)

1. Learned counsel for the petitioners submits that the question of law raised in the present petition has already been decided by this Court while passing the order in **CWP No 14591 of 2023, Amit Kumar and others Vs. State of Haryana decided on 16.12.2023** and the petitioners are also entitled for the benefit as extended to the petitioners therein.

2. Learned counsel for the petitioners submits that he has already served legal notice/representation dated 22.12.2023 copy of which has been appended as (Annexure P-7) but the same is still pending consideration with the respondents and the petitioners 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.

3. Notice of motion.

4. On the asking of the Court, Mr. Harish Nain, learned Assistant Advocate General, Haryana, who is present in Court, accepts notice on

behalf of the respondent-State and submits that let the petitioners who are working in different Departments/Corporations, filed the representations to the respective head of the Departments to claim the said benefit and in case any such representation is filed, same will be considered and appropriate order will be passed.

5. It may be noticed that the claim which is being raised by the petitioners in the present petition had already been decided on merits while passing the order in **Amit Kumar and others (supra)** and once the decision has already been taken by the Court on the merits, the head of the Administrative Department i.e. Chief Secretary to the Government of Haryana needs to look into it, appropriate direction is to be given to all the Departments concerned to extend the said benefit.

6. Keeping in view the above, the present petition is disposed of with the direction to the Chief Secretary, Government of Haryana to decide the representation dated 22.12.2023 Annexure P-7 and in case the claim of the petitioners is covered by the judgment in **Amit Kumar and others (Supra)**, appropriate direction be given to the concerned authority to grant the benefit.

7. It is also requested that in case it is feasible, Chief Secretary, Government of Haryana should issue appropriate direction for implementation of the order dated 16.12.2023 (Annexure P-6) in case the Government has decided to accept the said judgment so that all the employees who are entitled for the benefit under the said judgment, does not rush to the Court seeking same relief. Appropriate decision be taken by the Chief Secretary, Government of Haryana, in this regard within a period of

08 weeks from the date of receipt of the certified copy of the order.

8. The present petition is disposed of with the direction as above.

(HARSIMRAN SINGH SETHI)
(JUDGE)

13.02.2024

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