

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-4848-2024 (O&M)
Date of decision: 01.03.2024

Manpreet Joshi and Ors
.....Petitioners
Versus
State of Punjab and Others
.....Respondents

CORAM: HON'BLE MR. JUSTICE NAMIT KUMAR

Present: Mr. M.S. Rana, Advocate
for the petitioners.

NAMIT KUMAR J. (Oral)

1. Prayer in this writ petition filed under Articles 226/227 of the Constitution of India, is for issuance of a writ in the nature of mandamus, directing the respondents to treat the petitioners as appointee in CRA No.276/2012 w.e.f. 05.03.2014 i.e. when their counterparts/batch-mates came to be appointed through common process of selection as granted to similarly situated employees vide order dated 11.01.2021 (Annexure P-4) and 24.02.2021 (Annexure P-5) qua the petitioners in view of orders dated 19.11.2020 (Annexure P-3) passed by this Court in CWP No.5288 of 2018, titled as “Sahil Bansal and others vs State of Punjab and others”, with a further prayer to grant all the consequential benefits of notional re-fixation of pay and increments and also the length of service after giving the deemed date of appointment w.e.f. 05.03.2014. Further a writ in the nature of mandamus directing respondent No.2 to decide the legal notice dated 24.01.2024 (Annexure P-7) and reminder dated 19.02.2024 (Annexure P-8), which is pending consideration with respondent No.2.
2. Learned counsel for the petitioners at the outset confines his prayer for deciding legal notice dated 24.01.2024 (Annexure P-7). He submits that at this stage, petitioners would be satisfied, if the said representation is decided by passing a speaking order within a time bound frame.

3. Notice of motion.
4. Mr. Teevar Sharma, AAG, Punjab, who is present in the Court accepts notice on behalf of respondent No.1 while Mr. Rangat Joshi, Advocate, has appeared on behalf of respondents No.2 to 6 and raised no objection to the innocuous prayer made by learned counsel for the petitioners.
5. I have heard learned counsel for the parties and have gone through the record of the case.
6. Without expressing any opinion on the merits of the case or the claim being made by the petitioners in the present petition, respondent No.2 – Chairman-cum-Managing Director, PSPCL, Patiala is directed to consider and decide the claim made in the legal notice dated 24.01.2024 (Annexure P-7) 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. In case, the petitioners are found entitled, their claim be released within a period of 08 weeks thereafter. In case, the respondents are of the opinion that the claim of the petitioners merits rejection the same be adjudicated upon by passing a speaking order after giving an opportunity of personal hearing to the petitioners within the time as stipulated hereinabove.
7. The petition stands disposed of.

(NAMIT KUMAR)
JUDGE

01.03.2024
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Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No