

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP No.6169 of 2024 (O&M)
Date of decision: 15.03.2024

Mahavir Singh and others
.....Petitioners
Versus
State of Punjab and others
.....Respondents

CORAM: HON'BLE MR. JUSTICE NAMIT KUMAR

Present: Mr. Shivdeep, Advocate
for Mr. H.P.S. Ghuman, Advocate
for the petitioners.

NAMIT KUMAR J. (Oral)

1. Prayer in this writ petition filed by the petitioners under Articles 226/227 of the Constitution of India, is for issuance of a writ in the nature of mandamus, directing the respondents to regularize the services of the petitioners as per order dated 14.12.2021 (Annexure P-2) passed by respondent No.1 w.e.f. 14.12.2021 and to provide consequential benefits with interest @ 12% per annum from the date of its accrual till actual realization. Further a writ of certiorari has been sought for quashing the appointments of Safai Sewaks/Sewermen on contract basis subsequent to passing the order dated 14.12.2021 (Annexure P-2) without regularizing the services of the petitioners and the said appointments are in violation of the order dated 14.12.2021 (Annexure P-2).
2. Learned counsel for the petitioners, at the very outset, confines his prayer for deciding legal notice dated 17.07.2023 (Annexure P-3). He submits that at this stage, petitioners would be

satisfied, if the said legal notice is decided by passing a speaking order within a time bound frame.

3. Notice of motion.
4. Mr. Rajesh Sehgal, Addl. A.G., Punjab, accepts notice on behalf of respondents No.1 to 3. On the asking of the Court, Mr. Prateek Gupta, Advocate has accepted notice on behalf of respondents No.4 and 5 and have 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.5, is directed to consider and decide the claim made in the legal notice dated 17.07.2023 (Annexure P-3) in accordance with law, by passing a speaking order within a period of 03 months 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 04 weeks thereafter. In case, the respondents are of the opinion that the claim of the petitioners merit 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

15.03.2024

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Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No