

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP No.7595 of 2024 (O&M)
Date of decision: 04.04.2024

Rakesh Bhatia and others

....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 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 treat the petitioners as appointee in CRA No.276/2012 w.e.f. 05.03.2014 i.e. when their counterparts/batchmates came to be appointed through common process of selection as granted to the similar situated employees vide order dated 11.01.2021 (Annexure P-4) and 24.02.2021 (Annexure P-5) qua the petitioners in view of order dated 19.11.2020 (Annexure P-3) passed by this Court in CWP No.5288 of 2018, with a further prayer to grant all the consequential benefits of refixation of pay and increments and also the length of service after giving deemed date of appointment w.e.f. 05.03.2014. Further a writ of mandamus has been sought for directing respondent No.2 to decide the legal notice dated 24.01.2024 (Annexure P-7) and reminder dated 20.03.2024 (Annexure P-8).

2. Learned counsel for the petitioners, at the very 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 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 respondent No.1. On the asking of the Court Mr. R.P.S. Bara, Advocate, who is on the panel of Punjab State Power Corporation Limited, has accepted notice on behalf of respondent No.2 to 6, 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.2 is directed to consider and decide the claim made by the petitioners in the legal notice dated 24.01.2024 (Annexure P-7), 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 held entitled, the necessary benefits be released to them within a period of 04 weeks thereafter.
7. The petition stands disposed of.

(NAMIT KUMAR)
JUDGE

04.04.2024

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Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No