

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

113

CWP No.7764 of 2024 (O&M)
Date of decision: 05.04.2024

Sajan Kumar Garg and others

....Petitioners

Versus

State of Punjab and others

....Respondents

CORAM: HON'BLE MR. JUSTICE NAMIT KUMAR

Present: Mr. Manmeet Singh 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 of mandamus has been sought for directing respondent No.2 to decide the legal notice dated

2024:PHHC:046228

24.01.2024 (Annexure P-7), which is pending consideration with respondent No.2.

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. Manpreet Singh Longia, Advocate, who is on the panel of Punjab State Power Corporation Limited (PSPCL), has accepted notice on behalf of respondents No.2 to 6, and have no objection to the innocuous prayer made by learned counsel for the petitioner.

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 petitioner 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 08 weeks, from the date of receipt of certified copy of this order. In case, the petitioners are found entitled, the necessary benefits be released to them 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

2024:PHHC:046228

opportunity of personal hearing to the petitioners within the time as stipulated hereinabove.

7. The petition stands disposed of.

(NAMIT KUMAR)
JUDGE

05.04.2024
yakub

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