

COCP No. 1329 of 2016

(1)

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

COCP No. 1329 of 2016

DATE OF DECISION:28.04.2017

Gopal Singh and others

.....Petitioners

Versus

R.K. Bhagat

.....Respondent

BEFORE:- HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present:- Mr. BD Sharma, Advocate
for the petitioners.

Mr. Bhupesh Dogra, Advocate for
Mr. Amit Aggarwal, Advocate
for the respondent.

DAYA CHAUDHARY, J.

Vide order dated 26.2.2016, following directions were issued in
the writ petition:-

“As a result, this petition is accepted. The petitioner is held
entitled to seniority/priority with effect from the original date of
appointment in 1986 as daily-wager. The respondents are
directed to consider the claim of the petitioner in the light of
this order and re-determine his dates of
appointment/promotion/regularization with effect from the date
when his juniors were granted benefit, which is being claimed
by the petitioner herein. This consideration is directed to take
place within two months from the date of receipt of certified

copy of this order. If the impleaded legal representatives make a request for personal hearing or through an authorized representative, the same will be allowed within the time frame. The final order be communicated to the legal representatives, whose names are borne on the record of this case and to do so soon after the same is passed. In case the order to be passed is adverse to their interest, the legal representatives shall be at liberty to approach this court again claiming monetary benefits as may naturally flow through their late father being part of estate left behind.”

In response to notice of motion in the present contempt petition, reply on behalf of the respondent has been filed and the same is on record. In the reply, it has been stated that the order passed by this Court in writ petition has been complied with and the petitioners have been granted the benefit of regularization and seniority from the date their juniors were granted.

On the other hand, learned counsel for the petitioners submits that although aforesaid benefits have been granted to the petitioners but consequential benefits have not been granted at par with their juniors.

Admittedly the order passed by this Court in writ petition on 26.2.2016 has been complied with as the claim of the petitioners has been considered and benefits have been granted to them.

In case the petitioners are entitled for consequential benefits at par with their juniors, they are at liberty to move representation to the respondent-authorities within a period of one month from the date of receipt

of copy of the order. In case such representation is made, respondent is directed to consider the same and grant petitioners' those benefits, which have been granted to their juniors.

In case the respondent comes to the conclusion that the petitioners are entitled for the benefits, which other similarly situated persons as well as juniors have been granted, the same be also granted to the petitioners within a period of two months thereafter.

In case the petitioners are still aggrieved in any manner, they are at liberty to avail appropriate remedy.

Disposed of accordingly.

April 28, 2017
pooja

(DAYA CHAUDHARY)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
Yes