

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.916 of 2015  
Date of Decision: 21.01.2015

Barinder Kaur

..... Petitioner

Versus

State of Punjab and others

..... Respondents

**CORAM:- HON'BLE MR. JUSTICE RAJIV NARAIN RAINA**

Present: Mr. R.S. Bajaj, Advocate,  
for the petitioner.

1. To be referred to the Reporters or not?
2. Whether the judgment should be reported in the Digest?

**RAJIV NARAIN RAINA, J.(Oral)**

Petitioner has approached this Court praying for grant and release of pay and allowances attached to the higher post for the period she had performed the duties on such higher post and other consequential benefits, such as arrears etc. in the light of the judgment passed by this Court in CWP No.4552 of 2003 titled Darshan Singh Versus State of Punjab, decided on 1.7.2010 (Annexure-P-2).

Petitioner is working under the supervision of Director Public Instructions (Senior Secondary), Punjab-respondent No. 2. Claiming the benefit of judgment in Darshan Singh's case (supra), petitioner had served a legal notice dated July 28, 2014 (Annexure P-5) upon respondents which has till date neither been responded to nor any benefit released to her.

Counsel contends that the petitioner, at this stage, would be satisfied if directions are issued to the Director Public Instructions (Senior

Secondary), Punjab-respondent No. 2 to consider and decide the legal notice of the petitioner dated July 28, 2014 (Annexure P-5) within some specified time.

Without going into the merits of the case or commenting thereon, the present writ petition is disposed of with directions to the Director Public Instructions (Senior Secondary), Punjab-respondent No. 2 to consider and decide the legal notice of the petitioner dated July 28, 2014 (Annexure P-5) within a period of four months from the date of receipt of certified copy of this order. The decision, so taken, be conveyed to the petitioner forthwith.

In case the petitioner is held entitled to the benefit as claimed by her through her aforesaid legal notice, consequential benefits be granted to her within a further period of two months. If the claim as projected by the petitioner through her aforesaid legal notice is not to be accepted, then a speaking and well reasoned order be passed by respondent No.2 and the same be conveyed to the petitioner forthwith.

**(RAJIV NARAIN RAINA)**  
**JUDGE**

**21.01.2015**  
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