

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.23878 of 2016

Date of Decision: 22.11.2016

Dr. Samidha Shikha

... Petitioner

Versus

State of Haryana and another

... Respondents

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

Present: Mr. Ajay Kumar Kansal, Advocate,
for the petitioner.

RAJIV NARAIN RAINA, J.

The petitioner is an Associate Professor in Government College, Gurgaon. She has been awarded the degree of Ph.D. in English literature from the Maharishi Dayanand University, Rohtak vide an official notification dated November 03, 2014. She claims that this higher qualification entitles her to award of three increments which have not been given to her despite representations made to the department. She says that this right is based on UGC guidelines adopted by the Government of Harayna vide letter dated July 21, 2011. The petitioner will superannuate on April 30, 2017 and in view of the petitioner being at fag end of the career her counsel submits that instead of issuing notice of motion in the case which might prolong the proceedings a direction may be issued to the respondents to consider and decide her representation dated July 25, 2016 in terms of UGC guidelines dated June 30, 2010 and the Government letter dated July 21, 2011. This would save time and avoid adjudication.

The request appears reasonable and accordingly a direction is issued to the 2nd respondent to consider and decide the representation (P-6)

by a reasoned order. In case, the petitioner desires hearing, the same shall be granted. In case, the claim is justified the increments be granted to the petitioner and pay enhanced accordingly. The necessity of passing a speaking order would only arise when the 2nd respondent contemplates an adverse order in which case the need for hearing would arise, otherwise not. If hearing is not required the representation be decided within one month, otherwise the exercise be completed within two months from the date of receipt of certified copy of this order.

(RAJIV NARAIN RAINA)
JUDGE

22.11.2016

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Whether speaking/reasoned Yes/No

Whether reportable Yes/No