

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Civil Writ Petition No.7538 of 2016

Date of decision: 26.4.2016

Kamlesh Kumari

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR.JUSTICE G.S.SANDHAWALIA

Present: Mr. Dheeraj Mahajan, Advocate for the petitioner.

G.S.SANDHAWALIA, J. (Oral)

The petitioner seeks consideration for grant of pension and other consequential benefits of three increments from the date of passing of Giani/Prabhakar by her and without withdrawal of said three advance increments.

Counsel for the petitioner submits that as per paragraphs 1 (1 & 2) vide letter dated 25.5.2015 (Annexure P/7) respondent no.3 has noticed that the petitioner has been given three advance increments with effect from 1.1.1978. However, an objection has been put up that whether the petitioner had earlier been a litigant and copy of the writ petition along with decision and the speaking order of the competent authority be sent failing which her pay was liable to be refixed and her case would be treated as closed and would be reopened only on receipt of the documents/information.

The petitioner has relied upon the report of the officers' committee dated 23.11.2011 whereby three advance increments given from the date of joining service prior to 19.2.1979 was permissible. Reference is also made to the instructions dated 1.2.2011 whereby report of the Officers' committee was circulated so that the cases of all the persons could be disposed of in terms of the orders passed by the Officers' committee.

Similarly, reference is also made to the order passed in **CWP No. 13126 of 2012, Lakhwinder Kaur and others vs. State of Punjab and others** decided on 21.01.2016 wherein, directions were issued to the competent authority to consider and decide the case of the petitioner in the light of the report of the Officers' Committee within 30 days from the date of receipt of certified copy.

Counsel submits that he would be satisfied if his case is also disposed of in the same terms and request dated 3.8.2015 (Annexure P/8) has already been made.

Notice of motion.

Mr. R.S. Sidhu, AAG, Punjab accepts notice on behalf of the respondents. Copy of the writ petition has been supplied to him.

Keeping in view the limited relief sought, this Court does not feel it necessary for the respondents to file reply.

Accordingly, without commenting on the merits of the case, this writ petition is disposed of in the same terms as **Lakhwinder Kaur's case** (supra), for decision by the competent authority within 30 days from the receipt of a certified copy of this order.

April 26, 2016
Pka

(G.S.SANDHAWALIA)
Judge