

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

Sr. No.123

Civil Writ Petition No.24617 of 2017
DECIDED ON: October 31, 2017

BHAGWATI DEVI

..PETITIONER

VERSUS

STATE OF HARYANA AND OTHERS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Ram Niwas Sharma, Advocate, for the petitioner.

JASPAL SINGH, J. (ORAL)

By virtue of the instant civil writ petition, preferred under Articles 226/227 of the Constitution of India, petitioner has sought the issuance of a writ in the nature of mandamus directing the respondents to revise the pay, pension and family pension by stepping up of the pay of her husband at par with his juniors as has been done in the case of similar situated JBT Teachers vide order dated November 03, 2014 (P-4) and further directing the respondents to extent the benefit of stepping up of pay at par with juniors to the petitioner's husband in compliance to Chief Secretary Haryana instruction dated May 02, 2002 (P-6) as the benefit of stepping up of pay at par with juniors has been allowed to similar situated teachers and further directing the respondents not to discriminate the petitioner's husband in stepping up of pay at par with his juniors.

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2. Learned counsel for the petitioner contends that though a legal notice was made on May 09, 2017 (P-5) but till date neither any reply to the said legal notice has been received nor any final order has been passed by the respondents.

3. Learned counsel for the petitioner further submits that he feels satisfied in case a direction is issued to respondent No.3 to decide his legal notice dated May 09, 2017 (P-5) in a time bound manner.

4. Instant petition is disposed of with a direction to respondent No.3-District Elementary Education Officer, Bhiwani to look into the grievances unfolded by the petitioner in his legal notice dated May 09, 2017 (P-5) and to take a conscious decision by passing a speaking order as per rules and instructions issued by the Government from time to time within a period of four months from the date of receipt of a certified copy of this order. In case, competent authority comes to the conclusion that petitioner is entitled to the relief(s) claimed, same be released to the petitioner within a period of next 45 days.

5. However, if petitioner still feels aggrieved by any of the orders passed by the aforesaid authority, he shall be at liberty to approach this Court.

October 31, 2017

Ankur

**(JASPAL SINGH)
JUDGE**

**Whether speaking/reasoned
Whether reportable**

**Yes
Yes/No**