

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No.18983 OF 2014
DECIDED ON: MAY 14, 2018

RITA DEVI

.....PETITIONER

VERSUS

STATE OF HARYANA AND ORS.

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Alok Mittal, Advocate,
for the petitioner.

Mr. RKS Brar, Additional Advocate General, Haryana.

JASPAL SINGH, J.(Oral)

Through instant petition, preferred under Article 226/227 of the Constitution of India, petitioner has sought issuance of a writ particularly in the nature of certiorari for quashing communication/letter dated 21.01.2014 (P-8) and further for issuance of direction to respondents to count entire previous service rendered by her in Jail/Prison Department, State of Haryana for the period 15.09.2003 to 05.03.2012.

2. Undisputably, a glance at the communication/letter dated 21.01.2014 (P-8) reveals that no reason has been assigned for declining the relief claimed by the petitioner through representation with regard to counting of service rendered by her in Jail/Prison Department, Haryana i.e. prior to her joining as Clerk in the office of Haryana Civil Secretariat, Chandigarh. Though, reference of instruction No.1/2(4) 96-2FRII, dated 07.01.2002 has been made in

the impugned communication/letter dated 21.01.2014 but nothing more finds mentioned about the contents of the said instructions. Even, petitioner was also not supplied the copy of such instructions along with aforesaid communication/letter dated 21.01.2014.

3. Thus, communication/letter dated 24.01.2014 (P-8) is not sustainable in the eyes of law and is quashed. However, Chief Secretary, State of Haryana is directed to consider the claim of the petitioner and to take a conscious decision, that too, by passing a speaking and detailed order within a period of two months from the date of receipt of certified copy of this order.

4. In case, the grievance of petitioner is not satisfied, she shall be at liberty to have recourse to the remedies available under law including to approach this Court.

MAY 14, 2018
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(JASPAL SINGH)
JUDGE

Whether speaking/reasoned *Yes*
Whether reportable *Yes/No*