

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Sr. No.113

Civil Writ Petition No.14472 of 2018
DECIDED ON: July 12, 2018

SAROJ KUMARI AND OTHERS

..PETITIONERS

VERSUS

STATE OF PUNJAB AND OTHERS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Vikas Chatrath, Advocate,
for the petitioners.

JASPAL SINGH, J. (ORAL)

Through 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 grant the benefit of proficiency step up along with consequential benefits including pension after taking count service rendered by them in Classic & Vernacular pay scale and extend benefit as has been granted in CWP No.16095 of 2012, captioned as *Baldev Singh & ors. vs. State of Punjab & ors.* decided on 16.05.2016 (P-16), which has been implemented vide order dated 21.09.2017 (P-18), especially in view of settled position of law in case *Satbir Singh & ors. vs. State of Haryana & ors., 2002(2) SCT 354 DB*, wherein it has been held that similarly situated persons should be granted benefits of its own by State and also in view of instructions issued by State of Punjab on 17.07.2002 (P-19) issued in compliance thereof along with interest @ 18% p.a.

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2. Learned counsel for the petitioner contends that though a legal notice was made to the respondents on 26.02.2018 (P-17) but till date neither any reply to the said legal notice has been received nor any final order has been passed by the concerned Department. He further submits that he feels satisfied in case a direction is issued to respondents to decide the aforesaid legal notice (P-17), in a time bound manner.

3. Without expressing any opinion on the merits of the case, instant petition is disposed of with a direction to respondents to look into the grievances unfolded by the petitioner in the legal notice dated 26.02.2018 (P-17) and to take a conscious decision by passing a speaking order as per rules and instructions issued by the Government from time to time as well as in light of the judgments referred to above in para no.1 of this order, within a period of three months from the date of receipt of a certified copy of this order.

4. However, if petitioners still feel aggrieved by any of the orders passed by the aforesaid authority, they shall be at liberty to have recourse to the remedies available under law as well as to approach this Court.

Juy 12, 2018

Ankur

**(JASPAL SINGH)
JUDGE**

**Whether speaking/reasoned
Whether reportable**

**Yes
Yes/No**