

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Sr. No.119

Civil Writ Petition No.20342 of 2018
DECIDED ON: August 16, 2018

SWARSHA DEVI

..PETITIONER

VERSUS

STATE OF PUNJAB AND OTHERS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Harinder Sharma, Advocate,
for the petitioner.

JASPAL SINGH, J. (ORAL)

Through the instant civil writ petition, preferred under Article 226 of the Constitution of India, petitioner has sought issuance of a writ in the nature of Mandamus directing the respondents to grant proficiency step up increments to her in the pay scale(s) allowed to the Classical and Vernacular (C&V) Teachers in terms of the judgment dated 16.05.2016 (P-6) passed by this Court in CWP No.16095 of 2012, captioned as ***Baldev Singh & ors. vs. State of Punjab & ors.*** and to grant all consequential benefits of revision of her pay and accordingly, to revise her retirement benefits and to pay arrears along with interest @ 12% p.a.

2. Learned counsel for the petitioner contends that though a legal notice was made to the respondents on 22.09.2017 (P-8) but till date neither any reply to the said legal notice has been received nor any final order has

Civil Writ Petition No.20342 of 2018

been passed by the respondents. He further submits that she feels satisfied in case a direction is issued to respondents No.1 & 2 to decide above said legal notice (P-8), in a time bound manner.

3. Instant petition is disposed of with a direction to respondents No.1 & 2 to consider her claim set up in the legal notice dated 22.09.2017 (P-8) and take a conscious decision by passing a speaking order in the light of judgment passed by this Court in CWP No.16095 of 2012 captioned as ***Baldev Singh & ors. Vs. State of Punjab & ors.*** decided on 16.05.2016 (P-6), within a period of three months from the date of receipt of a certified copy of this order. In case, competent authorities comes to the conclusion that petitioner is entitled to the relief(s) claimed, same be released to her within a period of next 45 days.

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

August 16, 2018

Ankur

**(JASPAL SINGH)
JUDGE**

**Whether speaking/reasoned
Whether reportable**

**Yes
Yes/No**