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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-3349-2016

Date of decision-04.07.2018

Rakesh Pal Kaushik

...Petitioner

Vs.

State of Punjab and another

...Respondents

CORAM:- HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. S.K. Garg Narwana, Sr. Advocate,
with Mr. Teever Sharma, Advocate,
for the petitioner.

Ms. Harsimrat Rai, DAG, Punjab.

JITENDRA CHAUHAN, J.

This writ petition under Articles 226/227 of the Constitution of India has been filed inter alia, for issuance of a writ, in the nature of mandamus directing the respondents, *inter alia*, to consider the ad hoc period as well as break period of the service rendered by the petitioner for the purposes of Senior Scale and Selection Grade along with all consequential benefits.

As per the pleadings, the petitioner moved representations dated 24.12.2014/01.01.2015 (Annexure P-26) and dated 15.07.2015 (Annexure P-28). The receipt thereof has been acknowledged by the respondent-State. However, there is no explanation in the reply as to why the final view on the representations moved by the petitioner has not been taken.

Learned Senior counsel states that at this stage, he would be

satisfied, if a direction is issued to respondent No.2-Director, Public Instructions (Colleges), Punjab, Sector 17, Chandigarh, to take final view in the matter within a specified time.

Learned State counsel has no objection to the suggestion put forth by learned Senior counsel.

Heard.

In view of the above, without adverting to the merits of the case, the present petition is disposed of with a direction to respondent No.2-Director, Public Instructions (Colleges), Punjab, Sector 17, Chandigarh, to consider and decide the case of the petitioner as per law, expeditiously, preferably within six weeks from the receipt of the certified copy of the order. In case, on consideration, the competent authority reaches to the conclusion that the benefit claimed by the petitioner is admissible to him, in such eventuality, the consequential relief be allowed to him, within a period of six weeks thereafter. However, in case the competent authority feels that the relief claimed by the petitioner is not admissible to him or made out, in that case, a speaking order be passed in the matter.

(JITENDRA CHAUHAN)
JUDGE

04.07.2018
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Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No