

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-2194-2019 (O&M)
Date of decision : 25.01.2019

Mahima Devi

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM:- HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Bishan Dass Rana, Advocate for the petitioner(s).

Mr. Vikrant Pamboo, DAG, Haryana.

JITENDRA CHAUHAN J. (ORAL)

This writ petition under Articles 226/227 of the Constitution of India has been filed for the issuance of a writ of Mandamus, *inter alia*, directing the respondents to consider and decide legal notice dated 19.11.2018 (Annexure P-5).

Learned counsel for the petitioner states that at this stage he would be satisfied, if a direction is issued to respondent No.1-Secretary, Department of Education (SE), Haryana, New Civil Secretariat, Sector 17, Chandigarh, to consider and decide the legal notice dated 19.11.2018 (Annexure P-5) in the light of the judgment passed by this Court in CWP No.14131-2016 titled as ***Mukesh Kumar and others Vs. State of Haryana and others***, decided on 10.01.2017 (Annexure P-6).

Heard.

A complete set of paper book has been handed over to Mr.

Vikrant Pamboo, DAG, Haryana, in the Court today.

In view of the above, without advertng to the merits of the case, the present petition is disposed of with a direction to respondent No.1- Secretary, Department of Education (SE), Haryana, New Civil Secretariat, Sector 17, Chandigarh, to consider and decide the legal notice dated 19.11.2018 (Annexure P-5) after considering the judgment passed in Mukesh Kumar's case (supra) within six weeks from the receipt of the certified copy of the judgment after giving an effective opportunity of hearing to the petitioner. In case, on consideration, the competent authority reaches to the conclusion that the benefit claimed by the petitioner is admissible to her, in such eventuality, the consequential relief be allowed to her, within a period of six weeks thereafter. However, in case the competent authority feels that the relief claimed by the petitioner is not admissible or made out, in that case, a speaking order be passed in the matter.

25.01.2019*atulsethi***(JITENDRA CHAUHAN)
JUDGE**

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