

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No. 4768 of 2019

Date of Decision : 22.02.2019

Smt. Sonia

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: *HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI*

Present: Mr. Mandeep Kumar Dhot, Advocate for the petitioner.

Harsimran Singh Sethi, J.(Oral)

In the present writ petition, the claim which is being made by the petitioner is for release of difference in salary, which was paid to the husband of the petitioner on lower side while he was in service. Further prayer has been made that benefit of Assured Career Progression Scheme and proficiency step up were not released to the husband of the petitioner while he was in service. Further, the suspension period should be treated as a period spent on duty for the grant of pensionary benefits.

Learned counsel for the petitioner states that the petitioner had approached this Court for the same relief by filing CWP No. 1980 of 2017, which was disposed of by this Court on 03.02.2017 (Annexure P-9) asking the Municipal Corporation, Patiala to decide the representation filed by the petitioner. Learned counsel further states that in pursuance to the said direction, Municipal Corporation, Patiala has passed an order on 11.06.2018 (Annexure P-11), wherein the petitioner has been found entitled for certain benefits but even those benefits have not been released by the Municipal Corporation, Patiala despite the lapse of more than eight months. Further,

the contention has been raised by the petitioner that in the order dated 11.06.2018, the Commissioner, Municipal Corporation, Patiala has stated that the benefits of difference in salary and proficiency step up is to be considered by the other local bodies, where the husband of the petitioner remained posted during his service career.

The petitioner has filed the present writ petition and once again the respective Municipal Council has not been impleaded as a respondent.

Faced with this situation, learned counsel for the petitioner states that he be allowed to withdraw the present writ petition with liberty to file a comprehensive representation with the Director, Local Government, who has the jurisdiction over all the Urban Local Bodies, to decide the claim of the petitioner.

Dismissed as withdrawn with liberty as prayed for.

In case any representation is filed by the petitioner before the Director, Local Government, Punjab claiming the relief as claimed in the present writ petition within a period of four weeks from today, respondent No. 2-Director, Local Government, Punjab shall pass appropriate orders on the said representation within a period of three months from the receipt of the same.

It is made clear that this Court expresses no opinion on the merits of the case or the entitlement of the petitioner in respect of the claim made in the present writ petition at this stage.

February 22, 2019
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(HARSIMRAN SINGH SETHI)
JUDGE

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