

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CWP-9745-2019

Date of decision: - 11.04.2019

Manjit Kaur and others

...Petitioners

Versus

Punjabi University, Patiala through its Registrar

....Respondent

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Puran Chand Arora, Advocate, for the petitioners.

HARSIMRAN SINGH SETHI, J. (ORAL)

Counsel for the petitioners states that petitioners were senior to one Smt. Jaswinder Kaur, who was appointed after them, on the post of Clerk in the year 1979. Petitioners were appointed as Clerk in the year 1977 and 1978.

As per the averments made in paragraph 5 of the writ petition, by giving her benefit of reservation, said Smt. Jaswinder Kaur was promoted as a Senior Assistant on 01.01.1986, whereas the petitioners were promoted starting from the year 1999 till 2002. Thereafter, said Smt. Jaswinder Kaur was promoted as a Superintendent by giving her the benefit of reservation and the petitioners were promoted immediately after her and as Smt. Jaswinder Kaur was being paid higher salary than the petitioners.

Counsel for the petitioners argues that as per the instructions dated 14.03.2017, which have been duly adopted by the respondent University on 23.12.2017, petitioners are entitled for stepping up of their pay equivalent to their junior, belonging to reserved category, in the cadre

of Superintendent.

Counsel for the petitioners further states that for the grant of this benefit, petitioners have served upon the respondents a legal notice on 25.08.2018 (Annexure P-8) and the said legal notice is still pending consideration with the respondents and petitioners will be satisfied, at this stage, in case a time bound direction is issued to the respondents to decide the same by passing an appropriate speaking order.

Notice of motion.

Mr. Ajaivir Singh, Advocate, who is present in Court, accepts notice on behalf of the respondent.

Counsel for the respondents states that respondent has no objection in case the prayer of the petitioners for deciding the legal notice dated 25.08.2018 (Annexure P-8) in a time bound manner is accepted.

In view of the above, without expressing any opinion on the merits of the case or the claim being made by the petitioners, respondent University is directed to decide the legal notice dated 25.08.2018 (Annexure P-8) by passing a speaking order within a period of three months from the date of receipt of a certified copy of this order. In case after the decision, it is found that the petitioners are entitled for any monetary benefit, the same shall also be released to them within a period of next three months.

Present writ petition stands disposed of.

(HARSIMRAN SINGH SETHI)
JUDGE

April 11, 2019
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Whether reasoned/speaking?
Whether reportable?

Yes
No