

Sr. No.134

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

**CWP No.14712 of 2019 (O&M)
Date of Decision: 09.07.2019**

Ajaib Singh

... Petitioner

Versus

State of Punjab and others

... Respondents

CORAM:- HON'BLE MR. JUSTICE ARUN MONGA

Present:- Mr. Madhav Pokhrel Advocate,
for the petitioner.

Ms. Anu Chatrath, Senior Advocate with
Ms. Ambika Bedi, AAG, Punjab.

ARUN MONGA, J.(ORAL)

Inter alia contends that petitioner is the husband/legal heir of deceased, namely, Kulwinder Kaur and is entitled to the consequential benefits arising out of her placement in seniority list dated 20.11.2015 (Annexure P-6).

2. Learned counsel for the petitioner submits that similarly situated teachers/principals have already been accorded the said benefit, while in the case of petitioner's deceased wife the same have not been accorded, despite causing a legal notice dated 14.08.2018 (Annexure P-9). Hence, the present writ petition.

3. Learned counsel for the petitioner relies on a judgment rendered by this Court in CWP No.19861 of 2014 decided on 27.03.2019 titled as ***Surinder Pal Kaur and others Vs. State of***

Punjab and another, wherein as per him based on identical facts, the petitioners were held to be entitled to the benefits as claimed herein.

4. Notice of motion.

5. On advance service of the petition, Ms. Anu Chatrath, Senior Advocate assisted by Ms. Ambika Bedi, AAG, Punjab appears and accepts notice on behalf of the State.

6. Given the nature of order being passed, there is no necessity to seek return by the respondents as no further proceedings and/or pleadings are required.

7. Without commenting on the merits of the case, the writ petition is disposed of with a direction to the respondents to objectively consider the legal notice dated 14.08.2018 (Annexure P-9) and also by keeping in view the contentions stated in the present writ petition by treating it as a supplementary representation and pass a speaking order, in accordance with law.

8. Let the needful be done within a period of 3 months from the date of receipt of a certified copy of this order.

9. Disposed of in above terms.

09.07.2019

vandana

**(ARUN MONGA)
JUDGE**

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No