

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

**CWP No. 21862 OF 2014  
DATE OF DECISION : 02.05.2019**

**Dr. Sukhwinder Kaur**

**...Petitioner**

**versus**

**Punjabi University Patiala and others**

**...Respondents**

**CORAM : HON'BLE MR. JUSTICE ARUN MONGA**

Present : Mr. Pawan Kumar, Senior Advocate with  
Mr. Rozer Kumar, Advocate,  
for the petitioner.

Mr. Amit Sethi, Advocate,  
for respondents No.1 and 2.

Mr. S. K. Sharma, Advocate,  
for respondent No.3.

**ARUN MONGA, J. (ORAL)**

1. Learned senior counsel for the petitioner, under instructions from the briefing counsel, as also the petitioner who is present in Court, fairly concedes that in case the benefit of grant of Senior Scale Placement to the petitioner is granted with effect from 11.09.1996, pursuant to letter/order dated 02.08.2010 (Annexure P-13), vide which it was agreed to accept the period of her services rendered as Research Associate, to be counted for the purposes of Carrier Advancement Scheme (hereinafter referred to as "the CAS").

2. Learned senior counsel has drawn my attention to the averments contained in para 24 of the writ petition wherein she has given a specific instance of similarly situated employee of the respondent-University viz. Dr. Ram Niwas, who is Lecturer in Hindi Department and was given the benefit of Senior Scale Placement under CAS with effect from 11.09.1996. While on the other hand, the petitioner has been denied the same on the ground that due to grade revisions of teachers with effect from 01.01.1996, the cut off date was fixed as 27.07.1998 and she had not put in five years of service at the relevant time.

3. Learned senior counsel further contends that the said ostensible ground for denying the benefit to petitioner is not tenable in view of order/letter dated 02.08.2010 (Annexure P-13). The conceded position, per Annexure P-13, was that the period of services rendered by her as Research Associate was to be counted for the purposes of CAS. Admittedly, she had rendered five years of continuous service at the relevant time as on 11.09.1996. She is, therefore, entitled to benefit of Senior Scale Placement and consequential benefits thereto, including being considered to promotion.

4. I am in agreement with the argument advanced by learned senior counsel for the petitioner. In the premise, the present writ petition is partly allowed with directions to the respondents to grant the benefit of Senior Scale Placement to the petitioner with effect from 11.09.1996. It is, however, made

clear that the petitioner shall not be entitled to any arrears arising out of fixation of her pay in Senior Scale Placement, other than the prospective benefits arising out of the same.

5. As regards the prayer of petitioner for issuance of writ of mandamus; suffice to direct the respondents to consider her case for grant of promotion on parity with Dr. Ram Niwas and other similarly situated employees, illustrations whereof have been given in Annexures P-21 and P-22, by applying the similar parameters. After considering her case and if found entitled, she will be given the benefit thereof by passing appropriate orders. The writ petition is accordingly disposed of with no order as to costs.

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

**(ARUN MONGA)**  
**JUDGE**

**MAY 02, 2019**  
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Whether speaking/reasoned : Yes/No  
Whether reportable : Yes/No