

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

CWP-749 - 2017

Date of decision : 14.03.2019

Monila Abbi

..Petitioner

Vs.

State of Punjab and ors.

...Respondents

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present:- Mr.G.S. Sandhu, Advocate,
for the petitioner.

Ms. Maloo Chahal,DAG, Punjab

JITENDRA CHAUHAN, J. (oral)

The present writ petition has been filed under Article 226 of the Constitution of India for issuance of a writ in the nature of certiorari for quashing the relieving order/letter dated 11.11.2016 (Annexure P-5) whereby the petitioner was relieved from her duties and further to consider the interruption/break period to be on duty and valid for all intent and purposes.

In the written statement filed on behalf of respondent Nos. 1 to 5, it has been averred that the name of the petitioner has been considered for the post of Science Mistress.

Learned counsel for the petitioner submits that the petitioner has been appointed as Science Mistress. However, the notional pay fixation and the seniority have not been granted to her.

In view of the above, this petition is disposed of with a direction to respondent No.2- The Director Education Department (Senior Secondary) Punjab, Punjab School Education Board Complex, Education Bhawan, 4th Floor, Phase 8, Sahibzada Ajit Singh Nagar (Mohali) to consider

the case of the petitioner for notional pay fixation and the seniority as per merit in case a representation in this regard is made by the petitioner within three months from the receipt of certified copy of this order.

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

14.03.2019
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(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No