

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

(131)

CWP-27600-2019

Date of Decision: September 25, 2019

Kusum Lata and others

.. Petitioners

Versus

Punjabi University Patiala and another

.. Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Hardeep Singh, Advocate, for the petitioners.

HARSIMRAN SINGH SETHI, J.(ORAL)

Learned counsel for the petitioners prays that the petitioners are entitled for step-up of their pay equivalent to reserved category junior employee, who was promoted in preference to the petitioners on the basis of reservation, upon catching the said junior employee in the promoted cadre, keeping in view the instructions, which have been issued by the Department of Personnel, Govt. of Punjab dated 14.03.2017 and has been duly adopted by the respondent-University on 24.01.2018.

Learned counsel for the petitioners argues that the details of the petitioners and their junior reserved category employees have been given in Annexure P-1 which clearly shows that the petitioners have caught the reserved category junior candidates in the higher cadre and hence, are fully eligible for the grant of benefits of step-up of their pay equivalent to their juniors but the respondent-University has not granted the said benefit accruing to the petitioners under the instructions dated 14.03.2017 issued by the Government of Punjab duly adopted by respondent-University on 24.01.2018.

Learned counsel for the petitioners prays that a direction be issued to the respondents to consider the case of the petitioners for the grant

of benefit of step up of their pay equivalent to their reserved category junior candidate.

Learned counsel for the petitioners states that for the relief which has been claimed in the present writ petition, the petitioners have served the respondents with a legal notice dated 26.08.2019 (Annexure P-13) which is still pending consideration with the respondents and the petitioners will be satisfied, at this stage, in case a time bound direction is issued to the respondents to decide the said legal notice by passing an appropriate speaking order.

Keeping in view the advance notice given, Ms. Sazia K. Singh, Advocate, accepts notice on behalf of the respondents and states that the respondent-University has no objection in accepting the prayer of the petitioners for deciding their legal notice in a time bound manner by passing an appropriate speaking order.

Without commenting upon the merits of the case or about the entitlement of the petitioners for the relief which has been claimed by them in the legal notice dated 26.08.2019 (Annexure P-13), the present writ petition is disposed of with a direction to the respondents to decide the legal notice dated 26.08.2019 (Annexure P-13), within a period of three months from the receipt of certified copy of this order.

In case, it is found that the petitioners are entitled for any monetary benefits after the decision of the legal notice, the same should also be paid to them within three months thereafter.

(HARSIMRAN SINGH SETHI)
JUDGE

September 25, 2019
harsha

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