

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-30092-2019

Date of decision: - 04.11.2019

Pritam Kaur

....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- None for the petitioner.

HARSIMRAN SINGH SETHI, J. (ORAL)

The claim of the petitioner in the present writ petition is that the pay of her late husband is liable to be re-fixed w.e.f. 01.01.1996 keeping in view the decision rendered by this Court in ***CWP No. 23138 of 2010*** titled as ***Dr. Naresh Kumar Kataria and others Vs. State of Punjab and others.***

It has been contended by the petitioner that even the similarly situated employees, namely, Dr. Hardev Singh and one Amarjit Singh Mand have already been granted the benefit, which is being sought by the petitioner herein with regard to the fixation of the salary of her late husband. The prayer of the petitioner is that the benefit of revised pay scale be extended to her late husband w.e.f. 01.01.1996, when he was alive and was in service alongwith the consequential benefit of re-fixation of the family pension of the petitioner alongwith interest.

From the pleadings, it transpires that for the relief, which has been sought in the present writ petition, petitioner has served a legal notice dated 30.05.2019 (Annexure P-14) to the respondents, which is still pending consideration with the respondents.

Interest of justice will be served, 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.

Without expressing any opinion on the merits of the case and entitlement of the petitioner in respect of the claim made in the writ petition/legal notice, the respondents are directed to decide the legal notice dated 30.05.2019 (Annexure P-14) 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 petitioner is entitled for any monetary benefit, the same shall also be released to her within a period of next three months.

Present writ petition stands disposed of.

November 04, 2019
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether reasoned/speaking?	Yes
Whether reportable?	No