

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

CWP-31180-2019

Date of decision: - 29.10.2019

Angraje Kaur and another

....Petitioners

Versus

State of Punjab and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: - Mr. Harinder Sharma, Advocate, for the petitioners.

HARSIMRAN SINGH SETHI, J. (ORAL)

Counsel for the petitioners states that petitioners were senior to one Smt. Paramjeet Kaur, but keeping in view the fact that said Smt. Paramjeet Kaur belonged to the reserved category, she got accelerated promotion on the basis of reservation in preference to the petitioners. Counsel for the petitioners argues that Smt. Paramjeet Kaur was promoted as a Principal on 08.07.1997, on which post, petitioners caught the said Smt. Paramjeet Kaur on their promotion to the said post on 16.02.2010 and regained seniority over and above Smt. Paramjeet Kaur.

Learned counsel for the petitioners further argues that keeping in view the instructions dated 10.10.2014, which have been issued by the Government of Punjab and then reiterated on 14.03.2017, senior general category employee, who has regained seniority over the junior reserved category employee, is entitled for stepping up of his/her pay equivalent to that of junior reserved category employee. Counsel for the petitioner further argues that when the petitioners caught Smt. Paramjeet Kaur in the

cadre of Principal on 16.02.2010 and became senior, petitioners were entitled for the same salary, as was being paid to Smt. Paramjeet Kaur by stepping up their salary, which benefit was not extended to them till they retired from service. The prayer of the petitioners is for stepping up of their pay equivalent to Smt. Paramjeet Kaur w.e.f. 16.02.2010 with consequential benefits.

Counsel for the petitioners states that for the relief, which has been sought in the present writ petition, petitioners have served the respondents with a legal notice dated 25.03.2019 (Annexure P-20), 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.

In view of the request made, without expressing any opinion on the merits of the case or the claim being made by the petitioners, the respondents are directed to decide the legal notice dated 25.03.2019 (Annexure P-20) by passing a speaking order 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 petitioners are entitled for any monetary benefit, the same shall also be released to them within a period of three months thereafter.

Present writ petition stands disposed of.

(HARSIMRAN SINGH SETHI)
JUDGE

October 29, 2019
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Whether reasoned/speaking?	Yes
Whether reportable?	No