

CWP-31591-2019

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-31591-2019

Date of decision: - 01.11.2019

Kamlesh Rani

....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Nitesh Singla, Advocate for the petitioner.

HARSIMRAN SINGH SETHI, J. (ORAL)

Counsel for the petitioner states that late husband of the petitioner was entitled for the higher pay-scale, in view of the higher qualification of her late husband, as held by this Court while deciding CWP No.3931 of 1992 titled as '**Baldev Raj Mittal and others Vs. State of Punjab and others**', decided on 15.04.2009.

Husband of the present petitioner had already retired and this writ petition has been filed after the death of her husband. No justification has been given as to why the petitioner waited for such a long time before approaching this Court.

Counsel for the petitioner states that for the relief which has been sought in the present writ petition, the petitioner has served the respondents with a legal notice dated 16.08.2019 (Annexure P-6), which

is still pending consideration with the respondents and the petitioner 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 petitioner, the respondents are directed to decide the legal notice dated 16.08.2019 (Annexure P-6) 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 petitioner is entitled for any monetary benefit, the same shall also be released to her within a period of next three months.

It is made clear that in case the petitioner is found entitled for the relief as being claimed by her, the arrears will be restricted only upto three years and two months prior to the date of filing of the present writ petition.

Present writ petition stands disposed of.

November 01, 2019
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether reasoned/speaking?	Yes
Whether reportable?	No