

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-34068 of 2019

Date of decision: 22.11.2019

Satwant Kaur

.... Petitioner

versus

State of Punjab and others

.... Respondents

CORAM:HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. P.S. Khurana, Advocate
for the petitioner.

HARSIMRAN SINGH SETHI, J. .

In the present writ petition, the claim of the petitioner is that she was entitled for the grant of increments, keeping in view the instructions, which have been issued by the respondent-State on 01.09.1960 (Annexure P/4) but the said benefit was never extended to her during her service career, though, whosoever approached this Court, praying for the said benefit, has been allowed and the orders passed by this Court have been implemented by the respondent-State and similarly situated employees have been granted the said benefit.

The grievance of the petitioner arose in the year 1960, but there is nothing on record that during her service career, she ever raised the said claim before the competent authority or even approached this Court claiming the benefit, which is being claimed in the present writ petition and the delay of more than thirty years has not been explained by the petitioner.

Counsel for the petitioner states that for the relief, which is being

claimed in the present writ petition, the petitioner has served the legal notice dated 27.09.2018 (Annexure P/13) to the respondents and thereafter she has also given a reminder dated 01.04.2019 (Annexure P/14), which are 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 legal notice dated 27.09.2018 (Annexure P/13), keeping in view the orders passed by this Court in CWP No.7862 of 1995 decided on 28.11.2013.

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 27.09.2018 (Annexure P/13) keeping in view the order passed by this Court in CWP No.7862 of 1995 decided on 28.11.2013 by passing a speaking order within a period of three months from the date of receipt of a certified copy of this order. It is made clear that in case, the claim of the petitioner is accepted, the arrears will be paid only from the date of legal notice dated 27.09.2018 (Annexure P/13).

Present writ petition stands disposed of.

(HARSIMRAN SINGH SETHI)
JUDGE

22.11.2019
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| 1. | Whether speaking/non-speaking? | Yes/No |
| 2. | Whether reportable? | Yes/No |