

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

**CWP No.35655 of 2019 (O&M)
Date of decision : December 09, 2019**

Karamjit Kaur

..... Petitioner

Versus

State of Punjab and another

..... Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Shashi Bhushan Nagpal, Advocate for the petitioner.

HARSIMRAN SINGH SETHI J. (ORAL)

Learned counsel for the petitioner states that the pay scales have been revised by the Government vide Notification dated 21.12.2011 but the benefits of the same were not granted to the husband of the petitioner, who had unfortunately died while in service on 21.04.2012. Learned counsel for the petitioner argues that the benefits related to the petitioner, after the death of her husband, were on the basis of unrevised pay scale.

Learned counsel for the petitioner further states that though in August, 2013 the benefits of revised pay scale were sanctioned in favour of the late husband of the petitioner but still the revised leave encashment on the basis of revised pay scale has not been extended to the petitioner and that too without any valid justification. Prayer of the petitioner is for issuance of a direction to the respondents to release the revised leave encashment, which has been calculated by the respondents, keeping in view the pay scale as revised w.e.f. 01.12.2011 in a time bound manner.

Learned counsel for the petitioner states that for the relief which has been sought in the present writ petition, petitioner has made a representation dated 19.04.2018 (Annexure P-8) to the respondents, 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 representation by passing an appropriate speaking order in accordance with law.

In view of the above, 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 representation dated 19.04.2018 (Annexure P-8) 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 him within a period of next three months.

Present writ petition stands disposed of.

(HARSIMRAN SINGH SETHI)
JUDGE

December 09, 2019

sarita

Whether speaking / reasoned

Yes

Whether Reportable:

No