

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

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CWP No.37153 of 2019

Date of Decision : 20.12.2019

Anju

....Petitioner

v/s

State of Haryana and others

....Respondents

Coram : Hon'ble Mr. Justice B.S. Walia

Present: Mr. Karamveer Singh Banyana, Advocate for the petitioner.

B.S. Walia, J. (Oral)

[1] Grievance of the petitioner is against the recording of Grade-B (Average) in Annual Performance Appraisal Report for the period 01.04.2013 to 31.03.2014 i.e. Annexure P-1, despite the petitioner having remained on Child Care Leave for a period of 08 months during the aforementioned period.

[2] Learned counsel contends that the petitioner has submitted a legal notice (Annexure P-2) dated 01.05.2019, praying for revision of the remarks recorded in the Annual Performance Appraisal Report for the period 01.04.2013 to 31.03.2014, but the same have not been decided, till date and that the petitioner would be satisfied, if the writ petition is disposed of by directing the respondents to consider and decide the claim made in the legal notice (Annexure P-2) dated 01.05.2019, in accordance with law.

[3] Notice of motion.

[4] Mr. Harish Rathee, learned Senior Deputy Advocate General, Haryana, accepts notice on behalf of the respondents/*State* and states that the writ petition is highly belated, as the remarks in the Annual Performance

Appraisal Report are for the period 01.04.2013 to 31.03.2014, whereas the legal notice was served on 01.05.2019, therefore, the writ petition is liable to be dismissed on the ground of delay & laches alone.

[5] Without commenting upon the merits of the claim or the entitlement of the petitioner to the relief prayed for, the writ petition is ***disposed of*** by directing respondent No.2 to consider and decide the claim made in the legal notice (Annexure P-2) dated 01.05.2019, in accordance with law, after taking into account all aspects of the matter within a period of 04 months from the date of receipt of certified copy of this order.

(B.S. Walia)
Judge

December 20, 2019
'Rajneesh'

Whether speaking/reasoned	: Yes/No
Whether reportable	: Yes/No