

IN THE HIGH COURT OF PUNJAB AND HARYANA

AT CHANDIGARH

CWP No.9791 of 2020

Date of Decision: 14.07.2020

Lata Mukesh

...Petitioner (s)

Versus

State of Punjab & another

...Respondent(s)

CORAM:- HON'BLE MR. JUSTICE HARI PAL VERMA

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

Ms. Anu Pal Singh, DAG, Punjab.

HARI PAL VERMA, J. (Oral)

The matter has been taken up for hearing through video conferencing due to outbreak of COVID-19.

The petitioner has filed the present writ petition under Articles 226/227 of the Constitution of India for issuance of an appropriate writ, order or direction especially in the nature of mandamus directing the respondents to decide the representation/Legal Notice dated 16.03.2020 (Annexure P-6) of the petitioner.

Learned counsel for the petitioner submits that he has issued Legal Notice dated 16.03.2020 (Annexure P-6) upon the respondents for re-fixation of pay of the petitioner after granting Masters/Mistress/JST

scale 620-1200 with initial start of Rs.660/- w.e.f. 01.01.1978 at least 38

months prior to filing of CWP No.14304 of 2010 titled as *Davinder Kaur and Ors. Vs. State of Punjab and Ors.* along with interest. However, the relief claimed in the said legal notice is still pending consideration with the respondents. At this stage, the petitioner will be satisfied in case a direction is issued to the respondents to decide the representation/Legal Notice dated 16.03.2020 (Annexure P-6) of the petitioner in a time bound manner.

Notice of motion.

Ms. Anu Pal Singh, DAG, Punjab accepts notice.

Without expressing any opinion on the merits of the case or the claim so projected by the petitioner, the present petition is disposed of with a direction to the respondents to take a final decision on the Legal Notice dated 16.03.2020 (Annexure P-6) by passing a speaking order, within a period of six months from the date of receipt of a certified copy of this order. In case, the authority concerned finds that the petitioner is entitled for any monetary benefit, as projected in the Legal Notice, the same be released to her in another period of six months thereafter. However, the arrears, if the petitioner is held entitled, would be restricted to 3 years and 2 months prior to the filing of this petition.

July 14, 2020
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(HARI PAL VERMA)
JUDGE

Whether speaking / reasoned?

Yes / No

Whether reportable?

Yes / No