

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

**Civil Writ Petition No.8388 of 2021 (O&M)
Date of Decision: August 25, 2021**

Nisha Rani

.....Petitioner.

VERSUS

State of Haryana and others

.....Respondents.

CORAM:- HON'BLE MR. JUSTICE G. S. SANDHAWALIA

Present: Mr. Parth Goyal, Advocate
for the petitioner.

(The proceedings are being conducted through video
conferencing, as per instructions)

G.S. SANDHAWALIA, J.(Oral)

By filing the present civil writ petition under Articles 226/227 of the Constitution of India, the petitioner seeks benefit of stepping up of pay at par with her junior counterpart notionally w.e.f. 05.08.1998 to 26.04.2002 and actually w.e.f. 27.04.2002 as per proforma for fixation of pay and payment of arrears along with interest @ 12% per annum.

Counsel submits that private respondent No.4 is stated to be junior to the petitioner as per the seniority list of Masters' cadre. It is submitted that a detailed legal notice dated 28.09.2020 (Annexure P-14) has already been filed, which has not been decided so far.

Notice of motion.

Mr. Aman Bahri, Addl. A.G. Haryana accepts notice on behalf

of respondents No.1 to 3.

Keeping in view the limited prayer made by counsel for the petitioner, this Court is of the considered opinion that there is no requirement for receiving reply on behalf of respondents, which will only cause delay in decision making process.

Accordingly, without commenting on the merits of the case and the entitlement of the petitioner to be considered for the said claim, directions are issued to respondent No.2 to dispose of the legal notice dated 28.09.2020 (Annexure P-14) within a period of three months on receipt of certified copy of this order. In case, the petitioner is not found entitled for the relief claimed or there is any legal impediment, a reasoned order be passed and conveyed to the petitioner.

In case, it is found that the petitioner is entitled for the said claim, respondents shall also ensure that all consequential benefits be granted to her.

The petition is disposed of accordingly.

(G. S. SANDHAWALIA)
JUDGE

August 25, 2021

Sachin M.

Whether speaking/reasoned: *Yes/No*

Whether Reportable: *Yes/No*