

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(124)

CWP No.13411 of 2021
Date of decision: 23.07.2021

Sapna Devi

...Petitioner

Versus

Uttar Haryana Bijli Vitran Nigam Ltd. and others

...Respondents

(Through video conferencing)

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Naveen Daryal, Advocate for the petitioner.

Mr. Sharad Aggarwal, AAG, Haryana.

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HARSIMRAN SINGH SETHI, J. (ORAL)

Learned counsel for the petitioner argues that though, the services of the petitioner were regularized in the year 2001 on the post of Lower Divisional Clerk but, a condition was imposed upon the petitioner that she has to clear a Typing test, which she had cleared in the year 2004 and now, the services rendered by the petitioner in the cadre of Lower Divisional Clerk from the year 2001 till 2004 have not been taken into consideration so as to compute the benefit under the Assured Career Progression Rules, which is not correct at all. Learned counsel for the petitioner further submits that once the petitioner discharged the duties on the post of Lower Divisional Clerk starting from the year 2001, ten years period for computing the benefit under the Assured Career Progression Rules should be counted from the year 2001 only and not from the year

2004.

Learned counsel for the petitioner further submits that for the relief, which is being claimed in the present writ petition, the petitioner has already served the respondents with a legal notice dated 29.03.2020 (Annexure P/6), 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 respondent No.4 to decide the said legal notice by passing an appropriate speaking order.

Notice of motion.

Mr. Sharad Aggarwal, AAG, Haryana, who has joined the proceedings through video conference, keeping in view the service of advance copy of petition accepts notice on behalf of respondent-State and raises no objection in deciding a legal notice dated 29.03.2020 (Annexure P/6) served by the petitioner in a time bound manner.

In view of the above, without expressing any opinion on the merits of the case or the claim being made by the petitioner, respondent No.4 is directed to decide a legal notice dated 29.03.2020 (Annexure P/6) submitted by the petitioner by passing a speaking order within a period of two months from the date of receipt of a copy of this order.

Present writ petition stands disposed of.

July 23, 2021
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(HARSIMRAN SINGH SETHI)
JUDGE

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