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

**CM-16262-CWP OF 2021 IN/AND
CWP NO. 18598 OF 2021**

DATE OF DECISION: 06.12.2021

Salochna Devi

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM : HON'BLE MR. JUSTICE ARUN MONGA

Present : Mr. Shalender Mohan, Advocate,
for the petitioner.

Ms. Rajni Gupta, Addl. AG, Haryana.

ARUN MONGA, J. (ORAL)

CM-16262-2021

For the reasons stated in the application, same is allowed and
Annexure P-2 is taken on record, subject to all just exceptions.

MAIN CASE

Petitioner before this Court, *interalia*, seeks issuance of a writ in the nature of certiorari for quashing of seniority list which was finalized way back on 22.06.2009 (Annexure P-2) and on the face of it, the writ petition is hit with delay and latches. On this short ground alone, no ground to interfere, qua the seniority list, by this Court is made out.

2. However, petitioner also seeks issuance of a writ in the nature of mandamus directing the respondents to grant him pat fixation benefits with effect from 12.04.1990 i.e. the deemed date of appointment at par with his juniors, as per merit determined by the Haryana Staff Selection Commission.

3. Learned counsel for the petitioner submits that juniors to the petitioner have been given the same benefit vide order dated 09.11.2012 (Annexure P-4) and their pay has been re-fixed in compliance of the order passed by this Court in LPA No.1509 of 2010 titled as “Baljit and others Vs. State of Haryana and others”.

4. Learned counsel submits that in the premise, petitioner caused issuance of a legal notice dated 12.04.2021 (Annexure P-7), but the same has not been adverted by the respondents till date. Hence, the instant petition.

5. On advance service of copy of the petition, learned State counsel appears and opposes issuance of notice of motion and states that competent authority shall take appropriate decision on the pending legal notice dated 12.04.2021 (Annexure P-7).

6. At this stage, learned counsel for the petitioner submits that let a final decision be taken, either way, by the competent authority on the pending legal notice, giving reasons thereof.

7. Given the nature of order being passed, there is no necessity to seek return by any of the respondents as no further proceedings and/or pleadings are required.

8. Without commenting on the merits of the case, the instant petition is disposed of with a direction to the competent authority to look into the grievance of the petitioner as per legal notice dated 12.04.2021 (Annexure P-7) and also by keeping in view the contentions raised in the present petition by treating the same as supplementary representation and take a decision, in accordance with law.

9. Let the needful be done within a period of three months from today.

10. Disposed of accordingly.

DECEMBER 06, 2021

Shalini

(ARUN MONGA)

JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No