

**104(2) IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CM-5857-CWP-2021 in/and
CWP No.6781 of 2014 (O&M)
Date of Decision: 26.10.2021

Dr. Sonia Prashar

.....Petitioner

Versus

Union of India and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present: Mr. Rajeev Anand, Advocate for the applicant-petitioner.

RAJBIR SEHRAWAT, J. (ORAL)

CM-5857-CWP-2021

This is an application for issuance of directions towards the disposal of the writ petition in view of the circular dated 03.03.2021 (Annexure A-1) and office memo dated 05.08.2020 (Annexure A-2).

Notice in the application.

Mr. Sourabh Goel, Advocate, accepts notice on behalf of the respondents and submits that he has no objection, if the present application is allowed.

For the reasons mentioned in the application and no objection given by the counsel for the respondents, the same is allowed and Annexures A-1 and A-2 are taken on record.

On the oral request of counsel for the parties, the hearing of the main case is preponed to today itself for disposal.

Main Case

This is a petition filed under Articles 226/227 of the Constitution of India seeking issuance of a writ of mandamus directing the respondents to consider the case for the grant of seniority and other benefits

for the counting of Military Service that has been rendered by the petitioner prior to her re-employment with the respondent/department in consonance with the government circulars/memos dated 25.11.1971 (Annexure P-5) and 19.05.1979 with certain other prayers made in the present petition. It is further prayed that the respondents be directed to consider the case of the petitioner in view of Annexures A-1 and A-2 (filed alongwith CM-5857-CWP-2021) by passing a well reasoned speaking order within a time bound frame.

At the outset, counsel for the petitioner submits that, at this stage, the petitioner would be satisfied if the respondents is directed to decide the claim of the petitioner in view of Annexures A-1 and A-2 and pass a speaking order thereon, within a time bound frame.

Learned counsel for the respondents is not averse to the expeditious disposal of the claim of the petitioner.

In view of the above, the present petition is disposed of with a direction to respondent No.2 to decide the claim of the petitioner in view of Annexures A-1 and A-2; within a period of three months from the date of receipt of the certified copy of this order.

It is further ordered that if the petitioner is found entitled to any pecuniary benefits upon such a conscious decision; then the said pecuniary benefits shall also be released to the petitioner within a further period of three months; from the date of such conscious decision of the authorities.

26.10.2021
sandeep

(RAJBIR SEHRAWAT)
JUDGE

Whether Speaking/Reasoned : Yes/No

Whether Reportable : Yes/No