

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

113

CWP No.22064 of 2020

Decided on :21.01.2021

Dr. Nistha Parashar

... Petitioner

Versus

State of Haryana and others

... Respondents

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

Present: Mr. Ravi Kadian, Advocate for the petitioner.

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

G.S. Sandhawalia, J. (Oral)

The petitioner in the present writ petition filed under Articles 226/227 of the Constitution of India seeks directions for issuance of a writ in the nature of mandamus directing the respondents to grant Senior Scale being fully eligible as per instructions issued by the Government of Haryana. Resultantly, a decision on the representation dated 30.09.2019 (Annexure P-9) is sought.

It is the case of the petitioner that the said benefit is payable on account of the Degree of Ph.D. having been obtained by her. Reliance is placed upon the recommendation of the Screening-cum-Evaluation Committee dated 06.12.2018 (Annexure P-4), whereby the name of the petitioner who was working as Assistant Professor with respondent No.4, was recommended for the said benefit. The said respondent also got approved the said decision by its Governing Body on 27.06.2019 and forwarded the same to respondent No.2 (Annexure P-5).

Counsel submits that the matter was returned on 17.09.2019 (Annexure P-6) by respondent No.2 that the same may be done after evaluation as per instructions issued by the department on 21.07.2011. It is submitted that thereafter the College has also forwarded the case on 03.10.2019 (Annexure P-8) enclosing all the relevant material alongwith representation of the petitioner dated 30.09.2019 (Annexure P-9) for the said benefit. He, accordingly, submits that the petitioner would be satisfied if the said representation is decided by the competent authority, within a fixed time frame.

Notice of motion.

Mr. RKS Brar, Addl. AG, Haryana, accepts notice on behalf of the respondents No.1 to 3.

Keeping in view the fact that the decision making is incomplete, this Court is of the considered opinion that it is not necessary to call upon the respondents for filing reply, as it would delay the proceedings.

Accordingly, without commenting upon the merits of the case and the entitlement of the petitioner, the present writ petition is disposed off with the direction to the respondents/competent authority to decide the representation of the petitioner dated 30.09.2019 (Annexure P-9) within a period of three months from the date of receipt of the certified copy of this order. In case, the petitioner is held entitled, for the said benefit, necessary benefits be disbursed to her thereafter within a period of two months. In case, the relief is not admissible to her, reasoned order be passed and communicated to the petitioner forthwith.

Disposed off.

(G.S. SANDHAWALIA)
JUDGE

JANUARY 21, 2021

Naveen

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No