

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

CWP-1189-2019 (O&M)

Date of decision: December 19, 2022

Dr. Paramjeet Sharma

....Petitioner

versus

State of Haryana and others

....Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present:- Mr. Jaspal Singh Maanipur, Advocate for the petitioner.

Mr. Saurabh Mohunta, DAG Haryana.

ARUN MONGA, J. (ORAL)

Petition herein, *inter alia*, is for issuance of an appropriate writ in the nature of Mandamus directing the respondents to allocate the work to the petitioner of District Education Officer, Kurukshetra pursuant to her posting order, and further to make her payment of salary and subsistence allowance beyond 50% after 90 days in terms of proviso to Rule 5 of the Haryana Civil Services (Punishment & Appeal) Rules, 2016 alongwith interest.

2. Writ petition was filed in the year 2019 and has been pending ever since for completion of pleadings. *Apropos* notice of motion, a short reply has been filed and as per learned counsel for the petitioner, the same does not deal with para wise averments contained in the petition. He points out that on similar lines, earlier a legal notice dated 16.11.2018 (Annexure P-14) was also issued, which too was never adverted by respondents.

3. On a Court query, learned State counsel submits that pending legal notice dated 16.11.2018 (Annexure P-14) shall be duly dealt with by the

competent authority by passing appropriate administrative orders giving specific reasons thereon.

4. At this stage, learned counsel for the petitioner also seeks decision on the pending legal notice, as suggested by learned State counsel.

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

6. Without commenting on the merits of the case, the instant writ petition is disposed of with a direction to the respondents to look into the pending legal notice dated 16.11.2018 (Annexure P-14) of the petitioner, and pass an administrative order giving reasons thereof, in accordance with law.

7. Let the needful be done as expeditiously as possible, but in any case not later than 4 months from today.

8. Disposed of accordingly.

9. Pending application(s), if any, shall also stand disposed of.

(ARUN MONGA)
JUDGE

December 19, 2022

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Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No