

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

CWP-8507-2022

Date of Decision: April 26, 2022

SHALU

..... PETITIONER(s)

Versus

STATE OF HARYANA AND OTHERS

..... RESPONDENT(s)

CORAM:- HON'BLE MRS.JUSTICE LISA GILL

Present: Mr. Ganesh Kumar Sharma, Advocate
for the petitioner.

Mr. Harish Nain, A. A.G., Haryana.

LISA GILL, J. (ORAL)

Petitioner, who is working as PGT (Commerce) at Government Senior Secondary School, Gujrani, seeks a direction to the respondents to count the services rendered by her at Kendriya Vidyalaya Sangathan (KVS), Paluwas (Bhiwani) w.e.f. 23.10.2003 to 14.12.2013 for the benefit of fixation of pay (Pay Protection) including ACP scheme and other consequential (Pensionary) benefits.

Learned counsel for the petitioner submits that petitioner prior to her appointment with the respondent-Department on 14.12.2013, was working with the Kendriya Vidyalaya Sangathan, Bhiwani. She was relieved on 14.12.2013 itself from Kendriya Vidyalaya Sangathan, Bhiwani to enable her to join as PGT (Commerce) with the Department of School Education, Haryana. It is submitted that benefits have been afforded to a

similarly situated employee namely Smt. Vimla Kumari vide order dated 29.01.2004 attached as Annexure P-11. Despite various representations (Annexures P-12 and P-13) and reminder dated 31.08.2021 (Annexure P-16), no action is being taken by the respondent authorities. However, at this stage, learned counsel for the petitioner restricts his prayer for a decision on petitioner's claim, in a time bound manner.

Notice of motion.

Mr. Harish Nain, A. A.G., Haryana, accepts notice on behalf of all the respondents. Advance copy of the writ petition stands served. Learned counsel for the State does not raise any serious objection to the restricted prayer addressed.

Keeping in view the facts and circumstances of this case, but without any expression of opinion this writ petition is disposed of with a direction that present writ petition be treated as a representation on behalf of the petitioner and same be decided by the competent authority within three months from receipt of certified copy of this order. In case of an order adverse to the petitioner, same be by way of a speaking order.

26.04.2022

Sunil

(LISA GILL)
JUDGE

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No