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

**CWP-5353-2022
Date of Decision: 16.03.2022**

Kuldip Kaur

..... Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Sunny Singla, Advocate,
for the petitioner.

HARSIMRAN SINGH SETHI, J. (ORAL)

Learned counsel for the petitioner submits that though, in the present petition, the prayer of the petitioner is to fix her pensionary benefits on the basis of the last pay drawn while working on a higher post as Current Duty Charge, but the same is not being pressed in the present petition and the petitioner only prays that the respondents be directed to consider the claim of the petitioner as to whether, while working as officiating Principal, she was entitled for the grant of regular promotion or not keeping in view the direction given by a Division Bench of this Court in LPA No.37 of 2017 decided on 25.09.2018.

Learned counsel for the petitioner further submits that the petitioner has already submitted a legal notice with the respondents on 22.06.2021 (Annexure P-8) and the petitioner will be satisfied at this stage in case, the respondents are directed to consider the prayer of the petitioner as to

whether, the petitioner who was working as officiating Principal, can be promoted on regular basis, so that the petitioner is able to get the pensionary benefits of the said post.

Notice of motion.

Mr. Navedeep Chhabra, Deputy Advocate General, Punjab, keeping in view the advance service of copy of the petition, accepts notice on behalf of the State.

Learned State Counsel submits that the State has no objection to decide the legal notice dated 22.06.2021 (Annexure P-8) qua the prayer of the petitioner as to whether, the petitioner is entitled for regular promotion as officiating Principal, keeping in view the direction given by a Division Bench of this Court in LPA No.37 of 2017 decided on 25.09.2018.

Keeping in view the facts and circumstances of this case and without going into the merits of the case or rendering any opinion on the claim of the petitioner in this petition or the legal notice dated 22.06.2021 (Annexure P-8), the present petition is disposed of with a direction to respondent No.2 to pass the appropriate speaking order on the legal notice dated 22.06.2021 (Annexure P-8), filed by the petitioner, within a period of eight weeks from the date of receipt of the copy of this order. In case, the petitioner is found entitled for the relief, the same be also released in her favour within a period of next four weeks of passing of the said orders on her legal notice dated 22.06.2021 (Annexure P-8).

16.03.2022

Bhumika

(HARSIMRAN SINGH SETHI)
JUDGE