

122.

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

CWP-16314-2022

Date of Decision: 28.07.2022

BABALJIT KAUR

.... Petitioner

Versus

STATE OF PUNJAB AND OTHERS

.... Respondents

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Chanderhas Yadav, Advocate,
for the petitioner.

JAISHREE THAKUR.J (Oral)

The petitioner herein is seeking a writ in the nature of Mandamus directing the respondent-authorities to consider her case for appointment to the post of Clerk w.e.f. 24.01.2014, the date when she was recommended by respondent No.2.

It is submitted that the petitioner's father while serving as Constable in the Punjab Police died in an accident, while on duty, on 12.06.2004. The petitioner, on attaining majority, was recommended by respondent No.2 for appointment to the post of Clerk on 24.01.2014, however, respondent No.1 declined her claim vide order dated 05.03.2014 stating that it does not cover under the policy guidelines dated 21.11.2002. She approached this Court by way of writ petition CWP No.8644 of 2015, which was allowed vide order dated 27.11.2018 directing the respondents to issue her appointment letter. However, the said directions were not complied

with by the respondents. Thereafter, she served a legal notice and also filed a contempt petition, wherein when the notice was issued, the respondent-authorities issued appointment letter to the petitioner on 30.08.2019.

Learned counsel for the petitioner would contend that the petitioner was issued appointment letter on 30.08.2019 and in this way, she has lost her 5 years and 7 months. She is seeking all benefits of pay and allowance, seniority etc. w.e.f. 24.01.2014, the date when she was recommended by respondent No.2 for appointment to the post of Clerk. It is submitted that the petitioner has made many requests to the respondents to consider her appointment w.e.f. 24.01.2014, but to no avail. She has also given a representation dated 12.04.2022 (Annexure P-14), but till date, no action has been taken thereon. At this stage, counsel for the petitioner would submit that, the petitioner would be satisfied in case her representation be decided, in accordance with law, in a time bound manner.

Notice of motion.

Mr. Pawan Sharda, Senior DAG, Punjab, who is present in Court, accepts notice on behalf of the respondents and submits that the respondents will look into the matter and will take a decision on the representation of the petitioner.

Let sufficient number of copies of the complete paper book be supplied to him during the course of day.

Without commenting on merits of the case, the present petition is disposed of with a direction to respondents to decide representation dated 12.04.2022 (Annexure P-14) of the petitioner, within a period of three months from the date of receipt of certified copy of this order, in accordance

with law and convey the decision to the petitioner. In case of failure to do so, the officer responsible for the lapse would be liable to costs of Rs.20,000/- from his personal pocket, to be deposited with the Punjab and Haryana High Court Advocates Welfare Fund.

(JAISHREE THAKUR)
JUDGE

28.07.2022

sanjeev

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No