

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

105

CWP-23154-2021

Date of Decision :18.10.2022

Sheela Devi

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Umesh Narang, Advocate for the petitioner.

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Harsimran Singh Sethi, J. (Oral)

Learned counsel for the petitioner argues that the part time services, which the petitioner had rendered with the respondent-department for approximately 24 years, has not been taken into account as qualifying service, which action of the respondents is arbitrary and illegal and is contrary to the settled principle of law settled by this Court in CWP-10238-2017 titled as **Jeewan Lata vs. State of Punjab and others** decided on 10.05.2019.

Learned counsel for the petitioner submits that the petitioner has already raised the said grievance before the respondents by way of filing a representation dated 14.11.2017 (Annexure P/4), which is still pending consideration with the respondents and the petitioner will be satisfied, at this stage, in case a time bound direction is issued to the respondents to decide the same by passing an appropriate speaking order.

Notice of motion.

Mr. Harish Nain, AAG, Haryana accepts notice on behalf of the respondent-State and submits that though, a representation has been submitted by the petitioner, but the same has been submitted to the Principal, who is not a competent authority to grant the benefit as being claimed by the petitioner and in case, an appropriate representation is filed by the petitioner before the respondent No.2 claiming the benefit of part time service to be treated as qualifying service, the same will be decided in accordance with law within a period of 08 weeks from the date of receipt of any such representation.

Learned counsel for the petitioner submits that keeping in view the statement made by the learned State counsel, the present writ petition may be disposed off having been not pressed any further with liberty to the petitioner to file an appropriate representation before the respondent No.2 claiming the benefit of part time service to be treated as qualifying service.

Ordered accordingly.

October 18, 2022
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No