

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(113)

CWP No. 1789 of 2024
Date of Decision : 29.01.2024

Dr. Narender Singh and another

...Petitioners

Versus

State of Haryana and another

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Abhinav, Advocate for the petitioners.

Mr. Harish Nain, Assistant Advocate General, Haryana.

Harsimran Singh Sethi J. (Oral)

In the present petition, the grievance of the petitioners is that while acquiring the higher qualification, the petitioners had spent more than the fixed time, which extended period of time for acquiring the Post Graduate qualification has not been taken into account as a qualifying service and the petitioners have not been paid any salary for the said period. Such action on the part of the respondents is totally arbitrary and illegal.

Learned counsel for the petitioners submits that once an employee, who is pursuing the higher qualification, is an in-service candidate and he/she is entitled for the full salary for the study period, the petitioners are entitled for the benefit of total study period, which they

spent acquiring the higher qualification as a duty period with consequential benefits.

Learned counsel for the petitioners submits that the petitioners have already raised the said grievance in the legal notice dated 07.08.2023 (Annexure P-15) but the same is still pending consideration with the respondents and the petitioners will be satisfied, at this stage, in case a direction is issued to the respondents to decide the same by passing an appropriate speaking order in a time bound manner.

Notice of motion.

On the asking of the Court, Mr. Harish Nain, learned Assistant Advocate General, Haryana, who is present in Court, accepts notice on behalf of the respondent-State and submits that in case, the legal notice dated 07.08.2023 (Annexure P-15) has been received in the office of the concerned authorities and the same is still pending consideration with the authorities concerned, the same will be decided by the competent authority within a period of eight weeks of the receipt of certified copy of this order by passing an appropriate speaking order.

Learned counsel for the petitioners submits that keeping in view the statement of learned State counsel, the present petition may kindly be disposed of having been not pressed any further.

Ordered accordingly.

January 29th, 2024
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No