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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CWP-6929-2024
Date of Decision: 22.03.2024

Phoolpati Petitioner
Versus

State of Haryana and others Respondents

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Sandeep, Advocate for
Mr. Pankaj Mehta, Advocate
for the petitioner.

JASGURPREET SINGH PURI, J. (ORAL)

1. The present writ petition has been filed under Article 226/227 of the Constitution of India for issuance of a writ in the nature of *mandamus* directing respondent No.2 to grant the benefit of annual increment after pay fixation in view of the office order dated 26.09.2019 (Annexure P-2) vide letter No.Admn-II-2019/1151/61277-420.

2. Learned counsel for the petitioner submitted that the husband of the petitioner joined the duty on 25.10.1984 as a Clerk in the respondent-Board and he died on 23.01.2004 while he was posted in Market Committee, Hisar. He further submitted that vide letter No.Admn-II-2019/1151/61277-420, all the Clerks, Care Takers, Store Keepers, Arrival Recorders etc. of Market Committees who were promoted/appointed before 04.01.2008, have been exempted from the condition of the passing the typing test and all were granted the benefit of annual increments from their appointment but the

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grievance of the petitioner is that her husband was not granted the aforesaid benefit of annual increment. He further submitted that in this regard the petitioner has filed a representation dated 23.12.2021 (Annexure P-3) to the respondent-Board but till date no action has been taken till date. He submitted that at this stage, the petitioner confines the scope of the present petition only to the extent that necessary directions may be issued to the respondents-Board to consider and decide the representation (Annexure P-3) filed by her in accordance with law in a time bound manner.

3. Notice of motion.
4. On the asking of the Court, Mr. Samarth Sagar, Additional Advocate General, Haryana, who is present in Court, appears on behalf of the respondents and stated that he has no objection, in case, a direction is issued to respondent No.2 for considering and deciding the representation filed by the petitioner vide Annexure P-3 in accordance with law and within a fixed time frame.
5. In view of the aforesaid position, without calling for the reply from the respondents and without observing anything on the merits of the case, the present petition is disposed of with a direction to respondent No.2 to consider and decide the representation filed by the petitioner vide Annexure P-3 dated 23.12.2021 strictly in accordance with law by passing a well-reasoned speaking order within a period of three months from today.

22.03.2024
Bhumika

(JASGURPREET SINGH PURI)
JUDGE

1. Whether speaking/reasoned: Yes/No
2. Whether reportable: Yes/No