

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

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CWP-21948-2017 (O&M)
Date of decision: 04.04.2024

Renu Bala

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. Naresh Kumar Manchanda, Advocate
for the petitioner.

Mr. Satnam Preet Singh, DAG, Punjab.

AMAN CHAUDHARY. J (Oral)

1. The prayer in the present Civil Writ Petition filed under Article 226 of the Constitution of India is to issue a writ in the nature of mandamus, for directing the respondents to consider the case of the petitioner for deemed date of appointment when the candidates out of the same selection have been appointed with all consequential benefits.

2. Learned counsel submits that pursuant to advertisement dated 02.04.2001, the petitioner, being placed at merit No.18 under the Ex-Servicemen category (D), Women (General), was appointed to the post of JBT Teacher on 10.12.2010, during the pendency of CWP-10605-2009 preferred by her, which was thus disposed of as infructuous vide order dated 15.09.2011. He submits that other candidates i.e. Jaspal Kaur, Jaswinder Pal Kaur, Jaswinder Kaur and Balbir Kaur, who were at merit No.19, 20, 22 and 23 respectively, had also joined in 2008 after filing CWP-3902-2007 which was decided on 04.08.2008. Thereafter they filed CWP-11557-2015, seeking the same relief as in the instant case, which has now been granted to them vide

speaking order dated 02.01.2017, giving deemed date of appointment from 24.12.2001 alongwith pay fixation on notional basis, but no consequential arrears of salary were to be paid to them. It is thus prayed, on instructions, that she would be satisfied in case a direction is given to the respondents to decide her claim in a time bound manner by granting her an opportunity of hearing.

3. Learned State counsel has no objection to the limited prayer made.

4. In view of the aforesaid and without commenting upon the merits of the case, this petition is hereby disposed of with a direction to consider and decide the claim of the petitioner, taking into account the speaking order dated 02.01.2017 and benefit granted in terms thereof, within a period of three months, and if found entitled, necessary benefit be released to her forthwith.

(AMAN CHAUDHARY)
JUDGE

04.04.2024
Hemant

Whether speaking/reasoned : Yes / No
Whether reportable : Yes / No