

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

228

CWP-23190-2019 (O&M)
Date of Decision:30.04.2024

Jaswinder Kaur

....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present: Mr. Krishan Singh Dadwal, Advocate for the petitioner.

Mr. Satnampreet Singh, DAG, Punjab.

AMAN CHAUDHARY J. (Oral)

1. The prayer in the present petition is for quashing the order dated 01.05.2019, Annexure P-6, whereby the benefit of the previous service rendered by the petitioner has been declined for the purpose of regularisation.

2. Learned counsel contends that the petitioner had sought benefit of service rendered by her in Punjab Women and Children Development and Welfare Corporation (in short, 'PUNWAC') which, pursuant to directions of this Court, to decide the legal notice, in CWP-33452-2018, decided on 25.01.2019, has been declined vide the impugned order dated 01.05.2019, Annexure P-6, on the premise that her name was neither contained in the list of surplus employees nor in the PUNWAC record, a plea that has also been taken in the written statement. However, with the replication, he has appended an office order dated 06.09.1993 issued by PUNWAC, Annexure P-8, wherein her name finds a mention at Sr. No.39, alongside two other employees mentioned at Sr. No.31 and 32, namely Rajwinder and Neelam Devi respectively, who were granted the benefit as claimed in the instant petition. Her case is squarely covered by the judgments in **Didar**

and another vs. State of Punjab, decided on 23.02.2010, which has been upheld by the Division Bench in LPA-1122-2010, decided on 04.10.2010. He, at this stage, submits that the respondents be directed to decide the claim of the petitioner, taking into consideration the aforesaid pleas, in a time bound manner.

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 the respondents to consider and decide the claim of the petitioner, by taking into account the judgments referred to hereinabove and the office order dated 06.09.1993, Annexure P-8, within a period of six months, which this Court has no reason to believe the authorities would not address in a just, fair and reasonable manner. Upon doing so, after notice and hearing offered to them, and if found entitled, grant the benefit forthwith. Needless to say, if the orders are adverse to her interest, the same shall contain reasons and the petitioners shall be free to seek legal redress.

(AMAN CHAUDHARY)
JUDGE

April 30, 2024
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Whether speaking	:	Yes/No
Whether reportable	:	Yes/No