

236

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-21178-2022
Date of decision: 21.02.2024

Komal

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Vishal Nehra, Advocate for the petitioner.

Mr. Amandeep Joshi, DAG, Haryana.

VIKAS BAHL, J. (ORAL)

1. This is a Civil Writ Petition filed under Article 226/227 of the Constitution of India for issuance of a writ in the nature of certiorari for setting aside/modifying the impugned order dated 23.02.2022 (Annexure P-3) passed by respondent No.4 whereby only seniority has been granted to the petitioner but no other consequential benefits including financial benefits were granted to the petitioner.
2. Learned counsel for the petitioner as well as learned State Counsel have referred to sub-para (III) of para 14 of the reply filed on behalf of respondent Nos.1, 3 and 4 to highlight the fact that pay of the petitioner had been fixed w.e.f. 05.03.2019 notionally and actually w.e.f. 12.08.2021 i.e. the date of actual appointment and it has further been stated

that in case the petitioner has any grievance qua her claim then the petitioner is at liberty to submit a representation which shall be considered, in accordance with law.

3. Learned counsel for the petitioner has submitted that the case of the present petitioner is on a similar footing as that of Renu Bala and others Vs. State of Haryana and others which was decided vide order dated 10.08.2022 passed in CWP-17719-2022 and has further submitted that the present Civil Writ Petition be disposed of with liberty to the petitioner to move a representation, giving details of the reliefs granted to the said Renu Bala and others which as per the case of the petitioner are to be granted to her also and has prayed that the decision on the same be taken in a time bound manner.

4. Learned State Counsel has submitted that in case any such representation is made then the same would be considered within a period of eight weeks from the date of receipt of the said representation.

5. Keeping in view the abovesaid facts and circumstances, the present Civil Writ Petition is disposed of by granting liberty to the petitioner to file a representation giving the details of all the grievances left. In case, any such representation is made then the competent authority of respondent No.1-State is directed to consider the same within a period of eight weeks from the date of receipt of said representation and in case, the pleas raised by the petitioner are found to be meritorious then the competent authority would grant necessary relief, in accordance with law and in case, the competent authority is of the opinion that the pleas raised by the petitioner are not meritorious then a speaking order rejecting the same be

passed within a period of eight weeks from the date of receipt of the said representation.

6. This Court has not opined on the merits of the case and the competent authority of respondent No.1-State would consider the case of the petitioner independently, in accordance with law.

21.02.2024
Pawan

(VIKAS BAHL)
JUDGE

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No