



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(132)

CWP No. 20954 of 2024
Date of Decision : 28.08.2024

Surinder Kaur Kochar and another

...Petitioners

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Hardeep Singh, Advocate for the petitioners.
(Joined through Video Conferencing)

Mr. Charanpreet Singh, Assistant Advocate General, Punjab.

Harsimran Singh Sethi J. (Oral)

1. In the present petition, the grievance being raised by the petitioners, who are Senior General Category employees, is that one Paramjit Kaur was junior to them in the Cadre of Steno Typist but she got promotion as Junior Auditor on the basis of the reservation prior to the petitioners and once the petitioners caught the said junior employees in the promoted Cadre in the year 2008 prior to their retirement, the petitioners were entitled for the benefit of seniority keeping in view the judgment of the Hon'ble Supreme Court of India in *Ajit Singh Januja and others versus State of Punjab and others, 1996(2) SCC 715*.

2. Learned counsel for the petitioners submits that the petitioners were never declared senior to said Paramjit Kaur and their pay was not enhanced, which is causing prejudice to them as they are getting lesser pensionary benefits than the entitled one.

3. Learned counsel for the petitioners submits that the petitioners have already raised the said grievance in the legal notice dated 26.06.2024 (Annexure P-18) 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.

4. Notice of motion.
5. On the asking of the Court, Mr. Charanpreet Singh, Assistant Advocate General, Punjab, who is present in Court, accepts notice on behalf of the respondent-State and submits that in case, the legal notice dated 26.06.2024 (Annexure P-18) 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 from the date of the receipt of certified copy of this order by passing an appropriate speaking order. Learned counsel further submits that in case, it is found feasible to accept the claim of the petitioners, the same will be accepted, otherwise due reasons will be mentioned for not accepting the claim of the petitioners in the speaking order to be passed and the said order will be duly conveyed to the petitioners.
6. 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.
7. Ordered accordingly.

August 28, 2024
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : No