



**CM-10817-CWP-2023 in/and
CWP-10409-2015**

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

(103+212)

**CM-10817-CWP-2023 in/and
CWP-10409-2015**

Date of Decision : September 04, 2024

Surjit Kaur

.. Petitioner

Versus

State of Punjab and others

.. Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. S.K. Rattan, Advocate, for the petitioner.

Mr. T.P.S. Chawla, Sr. Deputy Advocate General, Punjab.

HARSIMRAN SINGH SETHI J. (ORAL)

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As prayed for, the application is allowed.

Replication to the written statement filed on behalf of respondents No. 1 to 3 as well as Annexures P-16 and P-17 are taken on record.

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1. In the present writ petition, though number of grievances have been raised by the petitioner but the only prayer which has been pressed by the learned counsel for the petitioner is that the pay of the petitioner should have been protected keeping in view the service rendered by the petitioner in an aided institution after the petitioner joined the Government job keeping in view judgment of this Court in ***CWP No.4629 of 2012 titled as***

Sunil Kumar Sharma and others vs. State of Punjab and others, decided



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on 19.02.2018, which judgment has already been upheld in **LPA No.1853 of 2018 titled as State of Punjab and others vs. Sunil Kumar Sharma and others, decided on 16.09.2022.**

2. Learned counsel for the petitioner submits that the respondents are under an obligation to consider the claim of the petitioner as per the judgment of this Court in **Sunil Kumar Sharma's case (supra)** to grant the benefit with regard to the pay protection keeping in view the service rendered by the petitioner in an aided institution.

3. Learned counsel for the respondents submits that the claim of the petitioner as per the judgment in **Sunil Kumar Sharma's case (supra)** will be considered and appropriate order on the claim of the petitioner will be passed within a period of eight weeks of the receipt of copy of this order and in case it is found that the petitioner is entitled for the benefit, the same will be extended to the petitioner otherwise due reasons will be given in the speaking order to be passed for not accepting the claim of the petitioner for her information and necessary action.

4. Keeping in view the fact that no other prayer has been pressed qua the prayer with regard to the pay protection in terms of **Sunil Kumar Sharma's case (supra)**, the present writ petition is disposed of keeping in view the undertaking given by the learned State counsel.

September 04, 2024
harsha

(HARSIMRAN SINGH SETHI)
JUDGE

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