



121 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-29361-2025

Date of Decision:30.09.2025

Kusum Sharma

...Petitioner

vs.

The State of Punjab and others

...Respondents

Coram : Hon'ble Mr. Justice N.S.Shekhawat

Present : Mr. J.S.Jaidka, Advocate with
Mr. Abhishek Khullar, Advocate and
Ms. Pragun Marwaha, Advocate
for the petitioner.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the present petition under Article 226/227 of the Constitution of India to issue a writ in the nature of mandamus with the following prayer:-

“a. For the immediate release of the monetary benefits of the present petitioner which are admitted by the Department itself in order dated 18/04/2015 (Annexure P-2) along with interest at the rate of 14% on account of fact of delayed payment of the same.

b. For the grant of promotion to the post of District Program Officer from its due date i.e. with effect from the date 29/08/2024 when the juniors (i.e. private respondents) of the petitioner have been promoted due to an illegal omission committed by the respondent department by not drawing a seniority list after the petitioner being absorbed into the department by issuance of letter of merger i.e. Annexure P-5 and further for the directions for drawing a seniority list by considering the petitioner as a senior after the petitioner being absorbed into the respondent Department so that the illegal omission so committed by the respondent department be rectified.

c. *Further for grant of revision of the pay of the petitioner as per the promotional post and also for the grant of arrears of pay of the promotional post along with interest at the rate of 14% after considering the promotion of the petitioner as the petitioner had illegally been left out from the promotion whereas the junior employees of the petitioner at the post of CDPO (Child Development Project Officer) have been promoted to the post of District Program Officer due to the illegal omission of not drawing a seniority list after the absorption of the petitioner into the respondent department.*

d. *Further for the revision of the pay scale of the petitioner under the 6h pay commission from the date of its due implementation as has been granted to the similar situated employees and further for the re-fixing the pay of the petitioner in as much as for the grant of arrears after the re-fixation of the pay of the present petitioner by calculating the same a fresh along with interest on the arrears at the rate of 14% on account of the fact of delayed payment of the same.”*

2. Learned counsel for the petitioner submits that the petitioner has already submitted a legal notice dated 28.02.2025 (Annexure P-7) to the respondents and at this stage, he shall be satisfied in case, appropriate directions are issued to respondent No.2 to decide the legal notice dated 28.02.2025 (Annexure P-7) in a time bound manner.

3. Notice of motion.

4. On the asking of the Court, Mr. Surya Kumar, AAG, Punjab, who is present in the Court, accepts notice on behalf of the official respondents and has no serious objection to the limited prayer made by learned counsel for the petitioner.

5. I have heard learned counsel for the parties and perused the record carefully.

6. At this stage, the present petition is disposed of with a direction to respondent No.2 to decide the legal notice dated 28.02.2025 (Annexure P-7) submitted by the petitioner, within a period of 04 months, from the date of receipt of certified copy of this order by passing a speaking and well reasoned order. In case, it is found that the petitioner is entitled to any consequential relief, the same may also be released to him, forthwith alongwith a reasonable rate of interest.

7. Disposed of.

30.09.2025
hemlata

(N.S.SHEKHAWAT)
JUDGE

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