

(2014) 07 P&H CK 0510
In the Punjab And Haryana At Chandigarh
Case No : CWP No. 7636 of 1993

Karam Singh

APPELLANT

Vs

State of Punjab

RESPONDENT

Date of Decision : 11-07-2014

Acts Referred:

Citation : (2014) 07 P&H CK 0510

Hon'ble Judges : Gurmeet Singh Sandhawalia, J

Bench : Single Bench

Advocate : Alka Chatrath, Advocate for the Appellant; Aman Bahri, Addl. A.G, Advocate for the Respondent

Final Decision : Dismissed

Judgement

G.S. Sandhawalia, J.—Prayer in the present writ petition is for quashing Annexures P4 & P5, whereby, vide instructions dated 19.02.1979 and 20.09.1979, the benefit of pay according to the qualifications of the teachers working in the Department of Education, Punjab, who were regularly appointed and acquired the qualifications of M.A./M.Sc./M.Ed., prior to 19.02.1979, had been restricted.

2. The writ petition was ordered to be heard along with CWP No. 3099 of 1991 titled Harinder Kaur & others Vs. State of Punjab & another. The said writ petition was dismissed on 02.05.2007, in view of the orders passed in CWP No. 4119 of 1988 titled Sudesh Kumari & others Vs. State of Punjab & others. In the said case, keeping in view the observations of the Division Benches of this Court in The State of Punjab & others Vs. Joga Singh & others 1996 (2) RSJ 738 and Mangat Ram & others Vs. The State of Haryana & another 1996 (2) RSJ 365, the writ petitioners therein who were also seeking similar relief on account of having improved their educational qualifications, i.e., after 19.02.1979 had been declined the relief and their writ petitions were dismissed. Reliance can also be placed upon the judgment of the Apex Court passed in Wazir Singh, JBT Teacher and others Vs. State of Haryana and others, .

3. Counsel for the petitioner has also placed reliance upon the judgment passed in CWP No. 7862 of 1995 titled Rajinder Singh & others Vs. The State of Punjab & another. Counsel for the State, on the other hand, has relied upon a Division Bench of this Court in Beant Singh and Another Vs. State of Punjab, to submit that after passing of The Punjab Pay Scale of Teachers Act, 2004, the legislature has rendered ineffective the policy dated 23.07.1957 and dated 19.02.1979.

4. Accordingly, in view of the settled position of law, the present writ petition is also dismissed in view of the decision passed in Sudesh Kumari's case (supra).