

(2013) 08 P&H CK 0462
In the Punjab And Haryana At Chandigarh
Case No : CWP No. 17598 of 2013 (O and M)

Parkash Singh and Others	Vs	APPELLANT
State of Punjab and Others		RESPONDENT

Date of Decision : 14-08-2013

Acts Referred:

Citation : (2013) 08 P&H CK 0462

Hon'ble Judges : Tejinder Singh Dhindsa, J

Bench : Single Bench

Advocate : Sunny Singla, for the Appellant;

Final Decision : Disposed Off

Judgement

Tejinder Singh Dhindsa, J.—It has been pleaded that the petitioners had initially joined the Punjab Education Department as JBT/Head Teachers/C&V Teachers and some of them were later on promoted as Masters/Mistresses/Lecturers. All the petitioners had since retired from service. The instant writ petition has been filed praying for the issuance of a writ of mandamus for directing the respondents to extend the benefit of pay revision w.e.f. 01.11.1971 instead of 16.07.1975 and for further fixation of pay in the revised scale of pay in the next stage. Towards raising such claim reliance has been placed upon a judgment of this Court dated 24.03.2009 passed in CWP No. 2208 of 1989 titled as Lekh Raj Khera & others Vs. State of Punjab & another (Annexure P-2).

2. The present writ petition is disposed of with a direction to respondent No. 2 to consider the claim of the petitioners and to take a final decision on the legal notice dated 15.3.2013 (Annexure P-4) strictly in accordance with law and by passing a speaking order within a period of six months from the date of receipt of a certified copy of this order.

3. It is however clarified that in case the claim of the petitioners is found covered under the judgment in Lekh Raj Khera's case (supra), it shall be open for the respondents to confine the benefit of pay fixation to the petitioners on a notional

basis and to grant the revised pensionary benefits accruing thereupon. It shall also be open for the respondents to confine the benefit of arrears of revised pensionary benefits to a period of 38 months prior to the filing of the present petition. Disposed of.