

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Date of Decision: 28.01.2015
CWP No. 1431 of 2015

Jagir Singh

...Petitioner

Versus

State of Punjab and ors.

...Respondents

CORAM: HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

Present: - Mr. Ranjivan Singh, Advocate
for the petitioner.

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HARINDER SINGH SIDHU,J(ORAL)

The petitioner joined Education Department on 01.06.1966 as Punjabi Teacher in Government High School, Fatehgarh Churian, District Gurdaspur. He passed Inter FA (only English) on 10.12.1968 and then BA on 16.07.1970. Thereafter, he passed Master of Arts (Punjabi) in the year 1975. On 20.06.1978 he was appointed as SS Master. After being promoted as Head Master, he retired on 28.02.2005 on attaining the age of superannuation.

The petitioner relies on a decision dated 15.04.2009 passed in CWP No.3931 of 1992 alongwith bunch of writ petitions whereby it has been held that JBT Teachers acquiring higher qualification than the basic qualification, are entitled to the pay scale of Rs.110-250 with effect from the date they acquired the same. It was also held therein that they are also entitled to subsequent pay revisions if any.

Learned counsel for the petitioner submits that the said order has attained finality as LPA filed there against has been dismissed on 26.05.2014.

He further states that a legal notice (Annexure P-8) was served upon the respondents, but no action has been taken so far.

Learned counsel for the petitioner states that at this stage, the petitioner would be satisfied if a time bound direction is given to respondent No.2 to take action on the above said legal notice.

Accordingly, the present writ petition is disposed of with a direction to the respondents to take into consideration legal notice dated 08.11.2014 (Annexure P-8) and dispose of the same by passing a speaking order expeditiously preferably within a period of four months from the date of receipt of a certified copy of this order.

As the petitioner has approached this Court for the aforesaid relief about 09 years after his retirement, therefore, if the petitioner is found entitled for the claimed benefits, the respondents would be at liberty to restrict the payment of arrears to 36 months from the date of the legal notice dated 08.11.2014.

28.01.2015
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(HARINDER SINGH SIDHU)
JUDGE