

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

Civil Writ Petition No. 14793 of 2015

DATE OF DECISION : July 23, 2015

Ashok Kumar & ors.

..... PETITIONER(S)

VERSUS

State of Punjab & ors.

.... RESPONDENT(S)

CORAM : HON'BLE MR. JUSTICE ARUN PALLI

Present: Mr. Sunny Singla, Advocate, for the petitioners.

ARUN PALLI, J. (Oral)

A writ in the nature of mandamus is prayed for, directing the respondents to grant the petitioners, pay scale and other admissible emoluments, prescribed for the higher post i.e. post of Head Masters/Principals/BPEOs, in terms of the provisions of Rule 4.4 (c) (i) of Punjab Civil Services Rules, Vol.I, Part-I, as they performed the duties of higher posts on officiating basis.

It is averred that vide separate orders passed by the respondents, from time to time, petitioners were asked to perform the duties of Head Masters/Principals, on officiating basis, and also discharged the duties of Drawing and Disbursing Officers.

It is maintained that, in this regard, prior to the institution of this petition, respondents were even served upon a legal notice dated 22.03.2015 (Annexure P10), but to no avail.

Though, the matter in issue is covered by a decision of this Court in CWP No.10454 of 2011, titled as “Bhim Sain and others vs. State of Punjab and another”, decided on 02.06.2011.

Learned counsel for the petitioners submits that, at this stage, let this petition be disposed of, only, with a direction to the respondents to consider and decide the legal notice served by the petitioners, within a specified time.

That being so, and, without expressing any opinion on merits, the instant petition is disposed of with a direction to the respondents, to consider and decide the claim of the petitioners as set out in their legal notice dated 22.03.2015 (Annexure P10), strictly, in accordance with law, within a period of three months, from the date of receipt of the certified copy of this order. Needless to assert, a comprehensive order shall be passed assigning reasons, in support of the decision arrived at.

JULY 23, 2015
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(ARUN PALLI)
JUDGE