

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CWP No.18303 of 2015

Date of Decision: 31.08.2015

Om Parkash

....Petitioner

Vs.

Punjab School Education Board

....Respondent

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH.

Present: Mr. H.S. Saini, Advocate
for the petitioner.

Amol Rattan Singh, J (Oral)

As this Court was not inclined to entertain the petition by invoking extra ordinary jurisdiction under Article 226 of the Constitution, it being purely a matter for reimbursement of past telephone bills and an effective alternative remedy would be available to the petitioner; however, learned counsel for the petitioner submits that the petitioner would be satisfied at this stage, if the legal notice issued on his behalf to the respondent, is ordered to be decided within a specified time.

The claim of the petitioner pertains to reimbursement of telephone bills since 1997 till the time the petitioner retired on 31.05.2013.

Consequently, this petition is disposed of with a direction to the respondent to take a decision on the aforesaid claim of the petitioner, within a period of two months of the date of receipt of a certified copy of this order.

However, since this is wholly a claim for recovery of money, in case the claim of the petitioner, or any part of it, is not granted by the respondent, the petitioner would not be at liberty to approach this Court under Article 226 of the Constitution and would avail of his civil remedies in respect of any claim, or part thereof.

In such a situation, i.e. in case the claim of the petitioner or any part of it is denied to the petitioner and he chooses to avail of his civil

remedy against the same, the civil Court would go into all issues, including that of limitation, in respect of such claim or any part of it.

August 31, 2015
vcgarg

(Amol Rattan Singh)
Judge