

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

SAILESH RANJAN
2015.09.04 10:29
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CWP No. 18379 of 2015
Date of decision: 01.09.2015

Sukh Chand

....Petitioner(s)

Versus

State of Punjab & others

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE G.S.SANDHAWALIA

Present: Mr.S.K.Rattan, Advocate, for the petitioner.

G.S.SANDHAWALIA, J. (Oral)

Prayer in the present writ petition is for issuance of a writ in the nature of mandamus to grant 4 years of proficiency-step-up w.e.f. 30.04.2006 and 9 years proficiency-step-up w.e.f. 30.04.2011, as per the notification dated 03.11.2006 (Annexure P8).

The claim of the petitioner is based on the ground that though he was appointed on 20.06.2006, after being successful in the writ petition, filed by him and subsequently, he was given the notional fixation of pay from 30.04.2002, the date of appointment of his juniors, vide letter dated 11.01.2007 (Annexure P5). His seniority was also fixed above the said junior, namely, Raj Kumar, vide order dated 27.02.2007 (Annexure P6). Thereafter, he had attained the age of superannuation on 31.03.2012, but he has not been given the benefits of proficiency-step-up. It is further his case that vide letter dated 17.03.2015 (Annexure P9), the Block Primary Education Officer has forwarded his case to respondent No.3 for the necessary benefits but no action has been taken.

Counsel for the petitioner submits that he would be satisfied that if the legal notice dated 15.06.2015 (Annexure P12), served upon the respondents, be decided within a time-bound frame.

Keeping in view the above controversy and without commenting upon the merits of the case and the rights of the petitioner, this Court does not feel it necessary to call upon the respondents to file reply.

Accordingly, the present writ petition is disposed of, with a direction to respondent No.2, to take action on legal notice dated 15.06.2015 (Annexure P12), within a period of 3 months, from the receipt of a certified copy of this order. Needless to say that if the relief is to be denied, reasons are to follow.

01.09.2015
sailesh

(G.S. SANDHAWALIA)
JUDGE