

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH.

CWP No.2074 of 2015
Date of decision: 9.2.2015

Jagdish Lal Sapra and others

... Petitioners

versus

State of Punjab and others

... Respondents

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

Present: Mr.Ranjivan Singh, Advocate,
for the petitioners.

...

AMOL RATTAN SINGH, J. (Oral)

Learned counsel for the petitioners submits that despite the fact that the instructions dated 31.1.2011 (Annexure P-3), which, though in the first part state that the approval of the Finance Department is granted to the petitioner employees for the change of requisite options, however, clarify in the last lines that the necessary permission be granted in cases/matters of similar nature, seeking the change of requisite option, the petitioners are not being granted the benefit of the said instructions, which were issued pursuant to the judgment of this court, rendered in the writ petitions referred to in the said instructions.

A legal notice on behalf of the petitioners has been served upon the respondents on 1.11.2014 (Annexure P-6), in response to which a letter has been issued from the office, presumably of the Secretary, Department of Education, Punjab (Annexure P-7), on 28.11.2014, to respondent No.2, i.e. the Director Public Instructions (Secondary Education), Punjab, to take appropriate action and to give a suitable reply to the learned counsel.

Consequently, this petition is disposed of with a direction to respondent No.2, to take a decision on the aforesaid legal notice, by passing a speaking order, within a period of two months from the date of receipt of a certified copy of this order. The said speaking order would be passed in the light of the instructions dated 31.1.2011 and the judgment of this court rendered in the writ petitions, referred to in the said instructions.

In case the relief sought in this petition, or any part thereof, is found due, the same shall be released to the petitioners within a period of two months thereafter. However, since the petitioners have approached this court only in the year 2015 after having retired on various dates, ranging between 1993 to 2003, as given in para 2 of the writ petition, any arrears found due to be paid to them, shall be restricted to a period of 38 months prior to the date of filing of this writ petition.

If, for any legally valid reasons, the relief sought by the petitioners, or any part thereof, is not found due, detailed reasons for the same shall be given in the speaking order to be passed.

9.2.2015
pk

(AMOL RATTAN SINGH)
JUDGE