

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

129

CWP No.3493 of 2015 (O&M)
Date of Decision: **26.02.2015**

Ude Singh and another

...Petitioners

Versus

Punjab School Education Board and another

...Respondents

CORAM: HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

Present: - Mr.Dharmender Singh Rawat, Advocate
for the petitioners.

HARINDER SINGH SIDHU, J.

The petitioners belong to General Category and they joined the respondent – Punjab School Education Board as Clerks in the year 1991. Persons junior to them belonging to reserved category were promoted as Assistants prior to the petitioners. However, later, the petitioners were also promoted as Assistants.

Relying on the judgment of the Hon'ble Supreme Court in **Ajit Singh Janjua and others vs. The State of Punjab and others, 1999(4) RSJ 211 (SC)** and this Court in **Gurmeet Singh and another vs. Punjab School Education Board and others, CWP No.18307 of 2011 decided on 6.12.2012**, the grievance of the petitioners is that despite they being senior to the candidates of the

reserved category, they are not being granted the benefit of stepping up of the pay.

The petitioners have served a legal notice dated 10.12.2014 (Annexure P-4) to consider their case for stepping up of their pay, as claimed in this petition. Learned counsel for the petitioners states, that at this stage, the petitioners will be satisfied, if directions are issued to the respondents to consider and take a decision on their legal notice.

In view of above, without commenting on the merits of the case, this petition is disposed of with a direction to respondent No.1 to consider and decide the legal notice of the petitioners dated 10.12.2014 (Annexure P-4) by passing a speaking order expeditiously, preferably, within a period of three months from the date of receipt of a certified copy of this order.

It is made clear that if the petitioners are found entitled to the benefit of stepping up of pay, the arrears thereof shall be restricted to three years prior to the legal notice (Annexure P-4).

February 26, 2014

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**(HARINDER SINGH SIDHU)
JUDGE**