

In the High Court of Punjab and Haryana at Chandigarh

C.W.P. No. 3596 of 2015

Date of Decision: February 27, 2015

Kusum Gupta and others

... Petitioners

Versus

State of Punjab and another

... Respondents

CORAM: HON'BLE MR. JUSTICE PARAMJEET SINGH

Present: Mr. P.K. Goklaney, Advocate,
for the petitioners.

Paramjeet Singh, J. (Oral)

Instant writ petition has been filed under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of mandamus directing the respondents to grant higher grade of pay to the petitioners on acquiring/possessing higher qualification while working as JBT Teachers in view of law laid down by the Full Bench of Hon'ble Supreme Court in State of Punjab and others vs. Narain Dass and others, decided on 18.08.1998 (Annexure P/4).

Learned counsel for the petitioners submits that a legal notice dated 02.07.2014 (Annexure P/15) was served by the District Secretary, Pension Cell. Punjab Privately Managed Recognized Aided Schools, Ludhiana on behalf of the pensioners to the respondents, but no action has

been taken thereon. Learned counsel confines his prayer for a direction to the respondents to decide his legal notice in view of judgment of Hon'ble Supreme Court passed in Civil Appeal Nos. 4029-4043 of 1998 – State of Punjab and another vs. Narain Dass and others, decided on 18.08.1998 (Annexure P/4).

Having heard learned counsel for the petitioners and after perusing the paper-book, however, without commenting on merits of the case and without giving notice to the respondents, instant writ petition is disposed of with a direction to the respondents, to look into the grievance of the petitioners specifically made in the legal notice (Annexure P/15) and pass an appropriate order in the light of judgment (Annexure P/4), if the cases of the petitioners are squarely covered by the judgment (Annexure P/4). Needful shall be done, in accordance with law, within a period of three months from the date of receipt of certified copy of this order and copy of the order so passed shall be communicated to the counsel for the petitioners.

February 27, 2015
vkd

[Paramjeet Singh]
Judge