

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

143

Civil Writ Petition No.5314 of 2015

Date of Decision: March 23, 2015

Pawan Kumar Sharma and others

...Petitioners

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. Deepanjay Sharma, Advocate
for the petitioners.

AUGUSTINE GEORGE MASIH, J. (ORAL)

It is the contention of the counsel for the petitioners that the petitioners are entitled to the benefit of the pay scale and other emoluments for the higher post of Head Teachers/Masters/Principles (School Cadre in Group-A) and additional increments as per Rule 4.4 (c) (i) of the Punjab Civil Services Rules Volume 1 Part-I, as they had performed the duties of higher responsibilities by officiating/holding current duty charge on the higher from few years to many years. The claim of the petitioners is stated to be covered in their favour by the judgment passed by this Court in **CWP No.8924 of 2010** titled as **Jaswant Singh and others Vs. State of Punjab and others**, decided on 31.05.2011 (Annexure P-5). He further states that the petitioners had served notice through counsel dated 10.01.2014 (Annexure P-9) upon the respondents but no decision thereon has been taken or conveyed to the petitioners. No benefits have also been conferred on them. Counsel has also placed reliance upon the order passed by this Court in **CWP No.2351 of 2013** titled as **Dev Singh Khara and**

others Vs. State of Punjab and others, decided on 04.12.2013 (Annexure P-7), where a direction was issued by this Court to consider the claim of similarly placed employees as the petitioners, which benefit has been conferred on them while complying with the order passed by this Court in COCP No.2203 of 2013 (Annexure P-8). Counsel states that the petitioners, at this stage, would be satisfied if direction is issued to the Director, Public Instructions (Secondary Education), Punjab-respondent No.2, to consider and decide the legal notice of the petitioner dated 10.01.2014 (Annexure P-9) within some specified time.

Without going into the merits of the case or commenting thereon, the present writ petition is disposed of with directions to the Director, Public Instructions (Secondary Education)-respondent No.2, to consider and decide the legal notice dated 10.01.2014 (Annexure P-9), within a period of four months from the date of receipt of certified copy of this order by passing a speaking order. Decision so taken be conveyed to the petitioners forthwith.

March 23, 2015

Puneet

**(AUGUSTINE GEORGE MASIH)
JUDGE**