

CWP No.7857 of 2015

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

CWP No.7857 of 2015**Date of Decision: April 27, 2015****Rajinder Kumar & others**

...Petitioners

Versus

State of Punjab & another

...Respondents

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. Sandeep Arora, Advocate
for the petitioners.

AUGUSTINE GEORGE MASIH, J. (Oral):

Petitioners have approached this Court praying for issuance of a writ of mandamus directing the Director, Public Instructions, Primary Education, Punjab-respondent No.2 to grant the seniority in the cadre of ETT w.e.f. 26.12.2001 as per the merit obtained by them at the time of their selection and also for the grant of other consequential benefits after re-fixation of their pay and seniority in accordance and in view of the judgment dated 09.07.2004 (Annexure P-2) passed in CWP No.19832 of 2003, titled as 'Charan Dass Sharma Vs. State of Punjab & others'. Counsel for the petitioners contends that as per the judgment passed by this Court in *Charan Dass Sharma's* case (supra), the petitioners are entitled to the grant of seniority from the date of their appointment as per the merit obtained by them in the selection. As a consequence thereof, they are also entitled to the grant of other benefits which would include the re-fixation of pay and arrears etc. Claiming the said benefits, petitioners have submitted a representation

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dated 10.02.2015 (Annexure P-4) to the Director, Public Instructions, Elementary Education, Punjab, relying upon the judgment passed by this Court in *charan Dass Sharma's* case (supra) but no response thereto has been received till date nor have been granted any consequential benefit. He states that the petitioners, at this stage, would be satisfied if a direction is issued to the Director, Public Instructions, Primary Education, Punjab-respondent No.2 to consider and decide the representation dated 10.02.2015 (Annexure P-4) submitted by the petitioners within some specified time.

In the light of the statement made by the counsel for the petitioners, 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, Primary Education, Punjab-respondent No.2 to consider and decide the representation dated 10.02.2015 (Annexure P-4) within a period of three months from the date of receipt of certified copy of this order and pass a speaking order. The decision so taken be conveyed to the petitioners forthwith.

April 27, 2015
Harish

(AUGUSTINE GEORGE MASIH)
JUDGE