

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

CWP No.9244 of 2015
Date of decision: 27.05.2015

Gurbachan Singh and others

... Petitioners

Versus

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE ARUN PALLI

Present: Mr. ADS Bal, Advocate, for the petitioners.

1. Whether reporters of local papers may be allowed to see the judgment?
2. To be referred to the reporters or not?
3. Whether the judgment should be reported in the digest?

ARUN PALLI J. (Oral)

Writ in the nature of mandamus is prayed for, so as to direct the respondents to grant the petitioners the benefit of higher pay for the period, they had officiated on higher posts while discharging the duties of the Principal or Headmaster. Petitioners purport to have joined Punjab School Education Board on the dates indicated in the table drawn in Annexure P1. However, petitioners No.1 and 4 have since retired from service on attaining the age of their superannuation. It is maintained that while working on their respective substantive posts, in the absence of a regular Drawing and Disbursing Officer in their respective schools, they were made to officiate on the higher posts i.e. Drawing and Disbursing Officer/Principal/Headmaster, for the period specifically depicted in Annexure P1. Once that was so, they were entitled

to be paid the pay admissible to the said posts. Petitioners purport to have represented to the respondents in this regard. But to no avail. So much so, prior to the filing of this petition, respondents were even served upon a legal notice dated 19.07.2014 (Annexure P2). But that too has failed to evoke any response.

Learned counsel for the petitioners submits that at this stage, let this petition be disposed of only with a direction to the respondents to consider and decide the notice (Annexure P2), served by the petitioners, within a specified time.

That being so, and without expressing any opinion on merits, particularly as regards the issue of delay/limitation, if any, this petition is disposed of only with a direction to the respondents to consider and decide the claim of the petitioners, as set out in their legal notice dated 19.07.2014 (Annexure P2), strictly in accordance with law, within a period of 3 months from the receipt of certified copy of this order. Though, needless to assert, a comprehensive order shall be passed, assigning reasons in support of the decision arrived at.

May 27, 2015
Rajan

(Arun Palli)
Judge