

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

CWP-9755-2015 (O&M)
Date of decision : 15.05.2015

Surinder Singh and others

...Petitioners

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. R.K. Arora, Advocate for the petitioners.

JITENDRA CHAUHAN, J.

This petition under Articles 226/227 of the Constitution of India, is for issuance of a writ in the nature of Mandamus, directing the respondents to count the service rendered by the petitioner in Govt. aided schools against aided posts for the purpose of qualifying service towards pensionary benefits.

The learned counsel contends that the case of the petitioners is squarely covered by the ratio of law laid down in CWP No.12432 of 2004, titled as ***Charan Singh Vs. State of Punjab and others***, decided on 11.07.2006 (Annexure P-3); SLP No.3209 of 2007, titled as ***State of Punjab Vs. Charan Singh***, decided on 05.12.2007 (Annexure P-4); CWP No.14238 of 1991, titled as ***Sukhdev Singh and others Vs. State of Punjab and others***, decided on 10.03.2010 (Annexure P-9); and CWP No.23253 of 2013, titled as ***Gurdip Singh Vs. State of Punjab and others***, decided on 23.10.2013 (Annexure P-

11). He further submits that for the redressal of their grievance, the petitioners have served a legal notice, Annexure P-10, however, the same has not been decided so far.

Keeping in view the prayer made in the petition, without advertng to the merits of the case, at this stage, the present petition is disposed of with a direction to the competent authority, to decide the legal notice, Annexure P-10, by examining whether the case of the petitioners is covered by the ratio of law laid down in Annexures P-3, P-4, P-9 and P-11, by passing a speaking order, within a period of four months from the date of receipt of a certified copy of this order. In case, the case of the petitioners is found covered, the consequential benefits be released to them within a period of two months thereafter.

Disposed of.

15.05.2015

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(JITENDRA CHAUHAN)
JUDGE