

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

* * * * *

CWP No. 14019 of 1995

Date of decision : February 23, 2016

* * * * *

Pahlad Singh and others

.....Petitioners

Versus

State of Haryana and others

.....Respondents

* * * * *

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

* * * * *

Present: Mr. H.S Gill, Senior Advocate with
Mr. R.K Dhiman, Advocate for the petitioners.

Mr. Rajesh Gaur, Addl. A.G., Haryana.

* * * * *

1. *Whether Reporters of Local Newspapers 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?*

RITU BAHRI, J

The petitioners have filed the present writ petition seeking a writ in the nature of mandamus directing the respondents to release the selection grade as admissible to JBT teachers to the extent of 15% strength of the teachers including permanent and temporary posts after taking into consideration the entire service rendered by the petitioners from the respective dates of their initial appointments.

The issue involved in the present writ petition has already been considered by a Division Bench of this Court in the case titled, '**Attar Singh and others vs. The State of Haryana and another**' bearing **CWP No 2143 of 1994** which was decided by this Court on 26.5.1994. The Division Bench gave directions to the respondents i.e the States of Punjab and Haryana to grant selection grade on the basis of the total strength including permanent and temporary posts with all consequential benefits to the employees in the Education Departments including the petitioners who were eligible to the grant of selection grade subject to the conditions that all such employees who were held entitled to the grant of such relief shall, however, not be entitled to the arrears for the period exceeding three years and two months preceding the filing of the petitions/representations or date of orders. A general direction was given to the respondents to determine the rights of all such employees who are entitled to the grant of selection grade in the light of the judgments already delivered by this Court from time to time but not later than six months. A reference at this stage can also be made to a judgment in the case of **Ram Nath Chandok and others vs. The State of Punjab and others, 1985 (3) SLR 711**, wherein it was held that selection grade had to be granted to the teachers after they had completed requisite period of service and 15% quota for selection grade to be considered on the strength of actually employed teachers and not on the strength of permanent posts.

As the issue involved in the present case is identical with

the issue raised in ***Attar Singh's case (supra)***, this petition is disposed of in terms of ***Attar Singh's case (supra)*** with a direction to the respondents that if the case of the petitioners has not been considered, the same can be considered now by passing a detailed speaking order within a period of three months of receiving of a certified copy of this order.

February 23, 2016
ritu

(**RITU BAHRI**)
JUDGE