

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.10671 of 2016
Decided on : 26.05.2016

Radheysham Kapoor & others

... Petitioners

Versus

State of Punjab & others

... Respondents

CORAM : HON'BLE MR.JUSTICE G.S. SANDHAWALIA

Present : Mr.Sunny Singla, Advocate, for the petitioners.

G.S. Sandhawalia , J. (Oral)

Petitioners seek release of revised pay and pension, rural allowance, house rent allowance and arrears along with 18% interest, on the ground that they were initially appointed on different posts in the Education Department on different subjects and superannuated. They were re-employed for various periods ranging from 1 month to 11 months in the Education Department in their respective schools, under the Punjab School Teacher Re-employment Act, 2006 (Annexure P1). The details of the service period, as given in para 2 of the paperbook, read as under:

Sr. No.	Name	Date of Regular	Date of Retirement	Reemployment Period
1	Radheysham Kapoor G.S.S.S., Raja Sansi, ASR	01.10.1980	30.04.2008	01.05.2008 to 31.03.2009
2	Sham Lal, G.S.S.S., Chomanda Devi, ASR	01.04.1977	30.09.2008	01.10.2008 to 31.03.2009
3	Balbir Singh, G.S.S.S (B) Kot Baba Deep Singh, ASR	01.01.1973	31.10.2007	01.11.2007 to 31.03.2008
4	Vijey Laxmi, G.H.S., Doburji Lubana, Amritsar	01.04.1977	30.11.2008	01.12.2008 to 31.03.2009

Sr. No.	Name	Date of Regular	Date of Retirement	Reemployment Period
5	Harjinder Kaur, G.H.S., Doburji Lubana, Amritsar	01.10.1980	31.05.2008	01.06.2008 to 31.03.2009
6	Kanwaljit Kaur, G.H.S., Sariff Pura, Amritsar	01.04.1977	31.05.2008	01.06.2008 to 31.03.2009
7	Anoop Kaur, G.P.S., Kishan Pura, Amritsar-I	01.04.1977	31.10.2006	01.11.2006 to 31.03.2007
8	Ritu Shobha, G.M.S., Shekh Chack, Tarn-Taran	01.10.1982	30.11.2006	01.12.2006 to 31.03.2007

Resultantly, the claim is made for grant of the revised pay-scale during the said period of extension as also revised pensionary benefits on the basis of the last pay drawn, pertaining to such extended period.

Counsel submits that one similarly situated employee, namely, Amarjit Singh has been given the said benefits vide order dated 23.08.2012 (Annexure P5). It is also submitted that in similar circumstances, in CWP-23464-2013 titled *Boota Singh & others Vs. State of Punjab & others*, decided on 20.12.2013 (Annexure P6), similar directions were issued. It is further submitted that a legal notice dated 05.12.2015 (Annexure P7) has already been served upon the respondents, for the necessary relief. It is, accordingly, contended that the petitioners would be satisfied if the same is decided within a fixed time-frame.

Notice of motion.

Mr.R.S.Sidhu, AAG, Punjab accepts notice on behalf of the respondents. Copy of the paperbook has been supplied to him.

Keeping in view the limited relief sought, this Court does not feel it necessary to ask the respondents to file reply.

Accordingly, without commenting upon the merits of the case and the entitlement of the petitioners, the present writ petition is disposed of, with a direction to respondents No.2 & 3, to decide the legal notice dated 05.12.2015 (Annexure P7), in terms of the observations made in the case of Boota Singh (supra) within 4 months of the receipt of the certified copy of this order.

MAY 26, 2016
sailesh

(G.S. SANDHAWALIA)
JUDGE