

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-19311-2016 (O&M)
Date of decision: 29.09.2016

Hardip Singh and others

.....Petitioners

versus

State of Punjab and another

.....Respondents

CORAM: Hon'ble Mr.Justice Kuldeep Singh

Present: Mr.Gurbhajneek Singh Samra, Advocate for the petitioners

- 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?*

Kuldeep Singh, J. (Oral)

Petitioner No.1 retired from service on 31.3.2016 and petitioner No.3 retired on 28.2.2015 as Lecturer. They seek the writ in the nature of mandamus directing the respondents to permit the petitioners to exercise the option for revised pay scale w.e.f. 1.1.1993 in view of changed circumstances created by the change in master scale vide Notification issued on 24.12.1992 (Annexure P-2).

Learned counsel for the petitioners contends that the controversy has been settled by a Division Bench judgment of this Court rendered in Civil Writ Petition No.7646 of 2009 titled as Surinder Kumar and others vs. State of Punjab and others. The petitioners have already issued a legal notice dated 25.7.2016 (Annexure P 7).

In the circumstances, the petition is disposed of with a direction to the respondents to consider the claim of the petitioners, as raised in legal

notice dated 25.7.2016 (Annexure P7) and after considering the judgment of Surinder Kumar and others' case (supra), pass a speaking order as to whether the petitioners' case is covered by the said decision and if it is so, whether they are entitled to notional consequential benefits. The necessary order be passed within two months from the date of receipt of a certified copy of this order.

29.09.2016*gk***(Kuldip Singh)
Judge**

Whether speaking/ reasoned:

Yes

Whether Reportable:

No