

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

CWP No. 4232 of 2016

Date of decision: 3.3.2016

Avtar Dass & ors.

... Petitioners

Versus

State of Punjab & ors.

... Respondents

CORAM:- HON'BLE MR. JUSTICE RAJIV NARAIN RAINA

Present: Mr. Gopal Singh Nahel, Advocate,
for the petitioners.

1. To be referred to the Reporters or not?
2. Whether the judgment should be reported in the Digest?

RAJIV NARAIN RAINA, J.(Oral)

1. The main grievance of the petitioners is that arrears of Dearness Allowances for the years 2009 to 2011 are pending despite recommendations made by the Block Development and Panchayat Officer to the Director Education, Punjab. The arrears have not been paid to the petitioners, who are teachers. They were earlier in the service of Zila Parishad Schools but due to policy of the Punjab Government have been absorbed in the Education Department with the transfer of schools from one to the other. The petitioners are in service. They have served a legal notice dated November 28, 2015 (Annex P-4) on the respondents, which has not been decided so far.

2. Mr. Nahel, learned counsel appearing for the petitioners would be satisfied if a direction is issued to the respondents in the first instance to consider and decide the legal notice. The request is justified and directions are issued to the respondents to decide the legal notice

within two months from the date of receipt of a certified copy of this order. In case the claim is found justified, the monetary benefits of the same may be given to the petitioners within the next three months. However, in case an adverse order is contemplated or is to be passed, then there would be the necessity of hearing the petitioners and passing a speaking order dealing with all the contentions raised in the legal notice and any other ground that may be raised before the decision-maker.

3. With the above observations and directions, the petition stands disposed of.

(RAJIV NARAIN RAINA)
JUDGE

3.3.2016
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