

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP No. 8005 of 2016
Date of decision: 06.05.2016

Gurwant Kaur

....Petitioner(s)

Versus

State of Punjab and others

...Respondent(s)

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

Present: Mr. Sushil Saini, Advocate,
for the petitioner.

G.S.SANDHAWALIA, J. (Oral)

The petitioner seeks counting of his service rendered by him in the Government Aided School at Government aided post for the purpose of pension and pensionary benefits. The relief is claimed on the basis of the decision of this Court in ***CWP No. 14238 of 1991, Sukhdev Singh and others vs. State of Punjab and others*** decided on 10.03.2010 (Annexure P-4).

It is the case of the petitioner that he was initially appointed on 22.01.1979 as JBT Teacher in Kalaswala Khalsa Senior Secondary School, Qadian, District Gurdaspur and served till 31.07.1988 and the said school is a government aided school and service was on a government sanctioned aided post, which was duly approved by the District Education Officer and a certificate was issued by the District Education Officer on 23.04.1979. A certificate was also issued to him on 16.08.1990 (Annexure P-1) by the Principal of the said school. Thereafter, he was selected as JBT teacher in Government school and he resigned and joined the same on 02.08.1988 in

Government Primary School, Rauri Block, Nakodar, Jalandhar. Copy of the appointment letter dated 22.07.1988 (Annexure P-2) is appended. It is the case of the petitioner that he is to retire on 30.04.2017 and thus, prays for the necessary relief.

Counsel further submits that legal notice dated 19.02.2016 (Annexure P-3) has already been served upon the respondents for the necessary relief. He further submits that he would be satisfied if a decision is taken on the said legal notice within a time bound frame.

Notice of motion.

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

Keeping in view the limited controversy, this Court is of the opinion that the reply need not be called for.

Accordingly, without commenting on the merits of the case or the entitlement of the petitioner, the present writ petition is disposed of with a direction to respondent no. 2 to look into the demand raised as per legal notice dated 19.02.2016 (Annexure P-3). The same be decided within a period of 3 months from the date of receipt of certified copy of the order. Needless to say if an adverse order is to be passed, the same shall contain reasons and be conveyed to the petitioners.

06.05.2016
shivani

(G.S. SANDHAWALIA)
JUDGE