

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

**C.O.C.P. No.2335 of 2014 (O&M)
Date of Decision: 27.01.2017**

Yogender Pal Singh and others

..... Petitioners

Versus

Surina Rajan, Financial Commissioner & Principal Secretary,
Education Department, Haryana and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. Ashok Tyagi, Advocate for the petitioners.

Mr. Rohit Arya, Assistant Advocate General, Haryana
for the respondents/contemners.

JASWANT SINGH, J. (Oral)

The 14 petitioners, admittedly, have retired from the rank of Teacher on attaining the age of superannuation on different dates during the periods from 30.06.1998 till 31.07.2007 from the services of Privately Managed Aided Schools. They had collectively filed CWP No.24436 of 2011 titled as “**Yogender Pal Singh and others *Versus* State of Haryana and others**”, seeking a mandamus directing the State and their private Management to grant the benefit under the Assured Career Progression Schemes w.e.f. 1996 and thereafter the benefit of revised retiral benefits w.e.f. 01.01.2006. Although the claims were concededly highly belated, however, the writ petition was disposed of vide order dated 07.03.2014 by passing the following order:-

“*Learned counsel for the State on the basis of reply, submits that as per recommendation of the school management, the case of the petitioners was forwarded to Director, Secondary Education, Haryana, Panchkula and order of sanction was passed on 21.2.2014 for revised pension and gratuity and the arrears shall be given very shortly after calculation of the amount.*”

In view of the submissions made by learned counsel for the State, the present petition is disposed of with a direction to respondent no.1 and 2 to pay arrears within a period of two months from the date a certified copy of this order is received.

In case the petitioners are still aggrieved, in any manner, they are at liberty to move representation to the concerned authorities. The petitioners are also at liberty to move representation for interest. ”

(emphasis supplied)

Upon notice, in one of the additional affidavits dated 06/17.10.2016 filed by Sh. Virender Singh, Joint Secretary, Education Department, Haryana, it is stated that the admissible benefits under the memo dated 15.04.2013 issued by the Government relating to revision of retiral benefits for the retirees of the Privately Managed Government Aided Schools, consequent upon the recommendations of the 6th Pay Commission w.e.f. 01.08.2011, have since been released to the petitioners. The remaining claims, it is stated that the same were never admissible.

At the time of hearing, learned Counsel for the petitioners, in the light of the stand of the respondents in the aforesaid affidavit dated 06/17.10.2016, prays for permission to withdraw the present contempt petition to enable his clients to seek their remedy in accordance with law.

Dismissed as withdrawn with the aforesaid liberty.

January 27, 2017

Gagan

**(JASWANT SINGH)
JUDGE**

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>