

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

CIVIL WRIT PETITION NO.10438 OF 2017
DATE OF DECISION: MAY 17, 2017

Sukhvant Singh and others

.....Petitioners

VERSUS

State of Punjab and others

....Respondents

CORAM:- HON'BLE MR.JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. S. K. Rattan, Advocate,
for the petitioners.

AUGUSTINE GEORGE MASIH, J. (ORAL)

Petitioners have approached this Court, claiming the benefit of promotion and seniority as D.P.E. (Master Cadre) with effect from the date their juniors have been promoted. Petitioners are also claiming the benefit of notional promotion from the said date alongwith stepping up of their pay equal to that of their juniors. Claiming the said benefits, the petitioners have served a legal notice dated 05.11.2015 (Annexure P-6), which although is under consideration, as is apparent from the communication dated 30.11.2015 (Annexure P-7) addressed by the Secretary, Government of Punjab, Department of Education to the Director, Education Department (SE), Punjab, but no decision thereon has been taken till date.

Counsel for the petitioners contends that the petitioners, at this stage, would be satisfied if a direction is issued to the Secretary, Department of Education, Punjab, Chandigarh and the Director of Public Instructions

(SE), Punjab, Mohali, respondent Nos.1 and 2 respectively, to consider and decide the legal notice of the petitioner within some specified time.

In view of the statement made by the counsel for the petitioners and without going into the merit of the case or commenting thereon, the present writ petition is disposed of with directions to the Secretary, Department of Education, Punjab, Chandigarh and the Director of Public Instructions (SE), Punjab, Mohali, respondent Nos.1 and 2 respectively, to consider and decide the legal notice dated 05.11.2015 (Annexure P-6) within a period of three months from the date of receipt of certified copy of this order.

In case the claim of the petitioners is accepted, the consequential benefits, if any, be released to them, in accordance with law, within a further period of two months.

In case the claim of the petitioners is not to be accepted, then a well reasoned and speaking order be passed and conveyed to the petitioners forthwith.

May 17, 2017
khurmi

(AUGUSTINE GEORGE MASIH)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No