

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.17740 of 2017

Date of Decision: August 10, 2017

Harinder Singh and others

....Petitioners

V/s.

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present: Ms. Alka Chatrath, Advocate for the petitioners.

TEJINDER SINGH DHINDSA, J. (Oral)

The petitioners are working as TGT Teachers under the Punjab School Education Department.

The instant writ petition has been filed seeking the issuance of writ of mandamus for directing the respondents to permit the petitioners to change their option for the grant of Revised Pay Scales w.e.f. 01/11/2006 instead of their earlier option w.e.f. 01/01/2006 in terms of Punjab Civil Services (Revised Pay Scales) Rules 2009.

Counsel submits that such prayers for giving option afresh is being raised in view of the changed circumstances i.e. the respondents have re-fixed the pay of the petitioners in view of the certain audit objection and resultantly the petitioners are suffering a financial loss and an anomaly in the pay has been created whereby juniors who exercised their option w.e.f. 01/11/2006 have now started getting more pay.

Counsel contends that identical issue has been dealt with by a Coordinate Bench of this Court in the order dated 11/03/2016 in CWP No. 18644 of 2015 (Gurmit Singh and others V/s. State of Punjab and others) and other connected petitions at Annexure P-23.

In view of the above, I deem it appropriate to dispose of the present petition by issuing directions to respondent No. 3 i.e. the Director Public Instructions (Elementary Education), Punjab to look into the grievance raised by the petitioners in the light of the legal notice dated 09.03.2017 (Annexure P-24) that is stated to have already been served in accordance with law and to take a final decision thereupon within a period of three months from the date of receipt of a certified copy of this order.

Suffice it to observe that in the eventuality of the petitioners claim being upheld and as regards grant of relief is concerned, the directions issued in the order dated 11.03.2016 in CWP No. 18644 of 2015 would strictly apply.

(TEJINDER SINGH DHINDSA)
JUDGE

August 10, 2017

Divyanshi

***Whether speaking/reasoned* : Yes/No**

***Whether reportable* : Yes/No**