

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

CWP No.21901 of 2017

Date of decision: September 26, 2017

Balbir Singh

....Petitioner

Versus

State of Punjab and others

....Respondents

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. G.L. Bajaj, Advocate
for the petitioner.

JASPAL SINGH, J.(ORAL)

By virtue of the civil writ petition preferred under Article 226/227 of the Constitution of India, petitioner has sought issuance of writ especially in the nature of mandamus directing the respondents to release the benefit of annual increments and other service benefits with all consequential benefits along with interest @ 12% to the petitioner for the period of two years service rendered by the petitioner after the age of 58 years to 60 years with the department, being handicapped, especially in view of the judgments passed by this Court in CWP No.7233 of 2010 titled as *Bhupinder Singh Vs. State of Punjab and others* decided on 25.05.2011 (Annexure P-4) as well as in LPA No.1719 of 2011 titled as *State of Punjab and others Vs. Bhupinder Singh* decided on 25.09.2012 (Annexure P-5) and in view of office order dated 30.03.2015 (Anneuxre P-14) issued by respondent No.2, as petitioner is fully eligible and entitled for the same.

Learned counsel for the petitioner submits that though a legal notice dated 3rd July, 2017 (Annexure P-10) was served upon the respondents but no decision has been taken till date. Learned counsel further submitted that petitioner feels satisfied in case, the concerned

authorities are directed to deal with and dispose of the claim of the petitioner set up in the legal notice dated 3rd July, 2017 (Annexure P-10) within some specified period.

Accordingly, instant petition is disposed of with a direction to respondent No.2-Director Public Instructions (SE), Punjab, Punjab School Education Board Complex, Vidya Bhawan, Phase VIII, SAS Nagar, Mohali, Punjab, to look into the grievances unfolded by the petitioner in his legal notice dated 3rd July, 2017 (Annexure P-10) and to take a conscious decision particularly in view of judgment passed in CWP No.7233 of 2010 captioned as *Bhupinder Singh Vs. State of Punjab and others* which stood allowed vide order dated 25th May, 2011, has attained finality and LPA No.1719 of 2011 captioned as *State of Punjab and others Vs. Bhupinder Singh*, filed by the State Government was dismissed vide order dated 25th September, 2012. SLP filed against the aforesaid order dated 25th September, 2012 was also dismissed by the learned Apex Court vide order dated 16th September, 2014, which has attained finality on account of dismissal of LPA as well as SLP preferred against the said judgment(s), within a period of three months from the date of receipt of certified copy of this order.

In case, petitioner still feels aggrieved of any adverse order passed by the concerned authority, he shall be at liberty to approach this Court.

September 26, 2017
m. sharma

(JASPAL SINGH)
JUDGE

Whether Speaking/Reasoned	:	Yes/No
Whether Reportable	:	Yes/No