

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

Sr. No.117

Civil Writ Petition No.26963 of 2017
DECIDED ON: November 28, 2017

SHAM LAL

..PETITIONER

VERSUS

STATE OF PUNJAB AND OTHERS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

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

JASPAL SINGH, J. (ORAL)

Through the instant civil writ petition, preferred under Articles 226/227 of the Constitution of India, petitioner has sought the issuance of a writ in the nature of Mandamus directing the respondents to revise the pay scale of the petitioner w.e.f. November 01, 1971 instead of July 16, 1975 with further prayer to fix the pay scale whose un-revised pay falls between two stages in the new time scale in the revised scale in the next stage, as per law laid down by this Court in ***CWP No.2208 of 1989 captioned as Lekh Raj Khara & ors. vs. State of Punjab & another decided on March 24, 2009*** (P-3) and further directing the respondents to grant all the consequential benefits i.e. arrears of pay along with interest and revised pensionary benefits.

2. Learned counsel for the petitioner contends that though a legal notice was made to the respondents on April 20, 2017 (P-4) but till date neither any reply to the said legal notice has been received nor any final order has been passed by the concerned Department.

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3. Learned counsel for the petitioner further submits that he feels satisfied in case a direction is issued to respondent No.2 to decide the aforesaid representation within some specified period.

4. Without expressing any opinion on the merits of the case, instant petition is disposed of with a direction to respondent No.2-Director Public Instruction (EE), Punjab School Education Board Building, Phase-8, Mohali to look into the grievances unfolded by the petitioner in his legal notice dated April 20, 2017 (P-4) and to take a conscious decision by passing a speaking order in the light of the judgment in case captioned as ***Lekh Raj Khara (supra)*** within a period of three months from the date of receipt of a certified copy of this order.

5. However, if petitioner still feels aggrieved by any of the orders passed by the aforesaid authority, he shall be at liberty to approach this Court.

November 28, 2017

Ankur

**(JASPAL SINGH)
JUDGE**

**Whether speaking/reasoned
Whether reportable**

**Yes
Yes/No**