

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No. 27507 OF 2017
DECIDED ON: DECEMBER 04, 2017

JASWANT SINGH

.....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)

By virtue of instant petition preferred under Article 226 of the Constitution of India, petitioner has sought issuance of a writ especially in the nature of mandamus directing the respondents to grant scale of ₹110-250 i.e. JST scale (revised scale ₹220-500), further revised from time to time on acquiring higher qualification of B.A. in the light of judgment passed by this Court in CWP-3931-1992, titled as ***“Baldev Raj Mittal and others v. State of Punjab and others”***, decided on 15.04.2009 (P-7) and also to grant the increments of ₹12/- w.e.f. 01.11.1971 as has been decided by this Court in CWP-2208-1989, decided on 24.03.2009, titled as ***“Lekh Raj Khara and ors. v. State of Punjab”*** (P-8) and to grant all consequential benefits i.e. re-fixation of pay, arrears, revised pension and other pensionary benefits along with interest.

2. At the very outset of the arguments, learned counsel for the

petitioner submits that petitioner feels satisfied in case direction is issued to respondent(s) to decide legal notice dated 12.08.2017 (Annexure P-10), within a stipulated period.

3. Instant petition is disposed of with a direction to respondent(s) to look into the grievances unfolded by the petitioner in his legal notice dated 12.08.2017 (Annexure P-10) and to decide the same as per Rules, Regulations and instructions as well as in view of judgments captioned as “**Baldev Raj Mittal and others v. State of Punjab and others**” and “**Lekh Raj Khera and others v. State of Punjab**”, within a period of three months from the date of receipt of certified copy of this order. However, relief shall stand restricted to 38 months in view of Full Bench judgment of this Court in “**Saroj Kumari v. State of Punjab and others**”, 1998(3) SCT 664.

4. As far as grant of interest on delayed payment is concerned that shall also be considered in view of the observations made by Full Bench of this Court in case captioned as “**R.S. Randhawa vs. State of Punjab, 1997 (3) RSJ 318**”.

5. However, if the petitioner still feel aggrieved against the order passed by the concerned authority, he shall be at liberty to approach this Court.

DECEMBER 04, 2017
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(JASPAL SINGH)
JUDGE

Whether speaking/reasoned **Yes**

Whether reportable **Yes/No**