IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CWP-441-1996 (O&M)
Date of Decision:18.05.2018

Raghbir Singh ... Petitioner

Versus

State of Haryana & others ... Respondents

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA.

Present:- None for the petitioner.

Mr. Ayuwan Singh, AAG, Haryana.

...

TEJINDER SINGH DHINDSA, J. (ORAL).

Even on the last date of hearing i.e. on 11.05.2018, no representation was caused on behalf of the petitioner. Under such circumstances, this Court is proceeding to adjudicate upon the controversy on merits.

Present writ petition was filed in the year 1996 seeking issuance of a writ of mandamus directing the respondents to grant and release to the petitioner Master's Grade/higher grade w.e.f. his date of joining i.e. 04.12.1972 with all consequential benefits along with arrears .

On the last date of hearing i.e. on 11.05.2018, State Government had referred to Memo dated 28.10.1996 issued by the Director, Secondary Education, State of Haryana and as per which claim of the petitioner for JST Grade was considered on the ground that identical writ petitions had been allowed. Arrears were restricted to 38 months prior to filing of the writ petition. The grade was, however, made admissible from the date of acquiring of higher qualifications or from the date of regular appointment whichever is later subject to the rider that requisite qualifications were acquired prior to

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09.03.1990.

Hearing in the instant petition was deferred to today to enable learned State counsel to complete instructions as to whether in pursuance to Memo dated 28.10.1996, the requisite JST Grade along with arrears has been released to the petitioner.

During the course of hearing today, learned State counsel has furnished a copy of Memo dated 17.05.2018 from the office of The Director Secondary Education, Haryana and addressed to the learned Advocate General, Haryana. The same has been perused. The relevant contents thereof are in the following terms:

> *"So it is pertinent to mention here that as per the sanction orders of District Education officer Panipat vide order No.E-I/II/3317-19 on dated 20.12.1999 the requisite JST grade has already been released to the petitioner with arrear and as per the entry of service book of the concerned employee Arrear of period w.e.f. 16.03.1999 to 31.12.1999 Amount Rs.24771/- paid to concerned employee vide bill No.208 on dated 08.06.2000 and Arrear of JST Grade period w.e.f. 17.01.1996 to 15.03.1999 (38 months) Amount Rs.83897/-, paid to the official vide bill No.208 on dated 08.06.2000, so total amount paid to the concerned employee is Rs.108668/-. So the concerned undersigned office has already complianced the order accordingly.*
>
> *DISTRICT ELEMENTARY EDUCATION OFFICER PANIPAT."*

In view of the above, nothing survives in the instant writ petition and the same is disposed of as infructuous.

18.05.2018 **(TEJINDER SINGH DHINDSA)**
harjeet **JUDGE**

i) Whether speaking/reasoned? Yes/No
ii) Whether reportable? Yes/No

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