

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Sr. No.126

Civil Writ Petition No.17803 of 2018
DECIDED ON: July 23, 2018

BHUPINDER SINGH NANDA AND OTHERS

..PETITIONERS

VERSUS

STATE OF PUNJAB AND OTHERS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: None for the petitioners.

JASPAL SINGH, J. (ORAL)

By virtue of the instant civil writ petition, preferred under Articles 226/227 of the Constitution of India, petitioners have sought issuance of a writ especially in the nature of Mandamus directing the respondents to release the benefit of one premature increment for non-participation in the strike dated 08.02.1978 in terms of judgment passed in CWP No.3504 of 1989 captioned as ***Ramesh Chander & ors. vs. State of Punjab & ors.***, decided on 18.05.2009 which is affirmed by the Hon'ble Supreme Court and in terms of CWP No.1863 of 1993, titled as ***Amarjit Kaur & ors. vs. State of Punjab & ors.*** decided on 03.10.2013 with all consequential benefits arising out of refixation of pay and pension with interest @ 12% p.a.

2. File perused.

Civil Writ Petition No.17803 of 2018

3. A perusal of the file transpires that petitioner has already served a legal notice dated 26.05.2018 (P-6) upon the respondents but neither the respondents have responded to the aforesaid legal notice (P-6) nor taken any conscious decision. So in the aforesaid facts and circumstances, this Court is of the considered view that instant petition can be conveniently disposed of by giving a direction to the respondents to take a conscious decision within some stipulated period.

4. Accordingly, without expressing anything on merits but considering the inaction on the parts of the respondents, instant petition is disposed of with a direction to respondent No.2 – Director of Public Instructions (SE), Punjab PSEB Complex Sector 62, Mohali to consider the grievances unfolded by the petitioners in the legal notice dated 26.05.2018 (P-6) and to decide the same in the light of the judgment (P-2) referred to above in para no.1 of this order, which has attained finality vide order dated 27.04.2015 passed by the Hon'ble Apex Court (P-3), within a period of three months from the date of receipt of a certified copy of this order.

5. However, if petitioners still feel aggrieved against any order passed by the aforesaid authority, they shall be at liberty to have recourse to the remedies available under law as well as to approach this Court.

July 23, 2018

Ankur

**(JASPAL SINGH)
JUDGE**

**Whether speaking/reasoned
Whether reportable**

**Yes
Yes/No**