

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Sr. No.130

Civil Writ Petition No.19367 of 2018
DECIDED ON: August 06, 2018

DALBIR SINGH

..PETITIONER

VERSUS

STATE OF PUNJAB AND OTHERS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Vijay Rana, Advocate,
for the petitioner.

JASPAL SINGH, J. (ORAL)

By virtue of the instant civil writ petition, preferred under Articles 226/227 of the Constitution of India, petitioner has sought issuance of a writ in the nature of Mandamus directing the respondents to pay the higher pay scale to him as petitioner actually worked as Head Master, Class-I in terms of the decision of this Court in RSA No.1539 of 1999 titled as *Commissioner & Secretary to Government of Haryana, Industrial Training and Vocational Education, Chandigarh vs. S.K. Bagga* (P-5) and in terms of decision in CWP No.2441 of 1993 captioned as *Lachhman Dass vs. State of Punjab & anr.* (P-7).

2. Learned counsel for the petitioner contends that though a legal notice dated 25.01.2018 (P-1) followed by reminder dated 07.06.2018 (P-2) was made to the respondents but till date no conscious decision has been

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taken by the concerned department. He further submits that petitioner feels satisfied in case a direction is issued to respondent No.2 to decide the aforesaid legal notice (P-1) in the light of judgments referred to above in para no.1 of this order, within some specified period.

3. Instant petition is disposed of with a direction to respondent No.2 – Director Public Instructions (Secondary Education), Punjab School Education Board Building, 4th Floor, Shiksha Bhawan, Phase-VIII, SAS Nagar Mohali to look into the grievances unfolded by the petitioner in the legal notice dated 25.01.2018 (P-1) and to take a conscious decision by passing a speaking order in the light of judgments referred to above in para no.1 of this order, within a period of three months from the date of receipt of a certified copy of this order.

4. However, if petitioner still feels aggrieved by any of the orders passed by the aforesaid authority, he shall be at liberty to have recourse to the remedies available under law and/or to approach this Court.

August 06, 2018
Ankur

(JASPAL SINGH)
JUDGE

Whether speaking/reasoned	Yes
Whether reportable	Yes/No