

**CWP No. 19978 of 2018
DECIDED ON: AUGUST 13, 2018**

HARMAIL SINGH JOSHI

....PETITIONER

VERSUS

STATE OF PUNJAB AND ORS

....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 issuance of a writ in the nature of Mandamus directing the respondents to grant him the benefit of previous service rendered by him in Govt. Aided School, towards fixation of his pay on his joining in Govt. School in terms of provisions of Rule 4.4 of Punjab Civil Services Rules and Government Instructions dated 15.11.2000 (P-1) as well as law laid down in CWP No.4629 of 2012 decided on 19.02.2018 (P-4) and also count the said service towards qualifying service for pensionary benefits along with all consequential benefits.

2. Learned counsel for the petitioner contends that though a legal notice dated 12.06.2018 (P-5) was duly served upon the respondents but till date neither any response has been received nor any final decision has been taken

thereof. He further submits that petitioner feels satisfied in case a direction is issued to respondent No.2 to decide the aforesaid legal notice (P-5) in the light of the instructions as well as judgment referred to above in para no.1 of this order, in a time bound manner.

3. Instant petition is disposed of with a direction to respondent No.2 – Director Public Instructions (Secondary Education) Punjab, State Education Complex, PSEB Building, 5th Floor, Phase-VIII, Mohali to consider the grievances unfolded by the petitioner in the legal notice dated 12.06.2018 (P-5) and to take a conscious decision by passing a speaking order in the light of the instructions as well as judgment 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 13, 2018
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(JASPAL SINGH)
JUDGE

Whether speaking/reasoned* *Yes/No
Whether reportable* *Yes/No