

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

Sr. No.130

Civil Writ Petition No.21831 of 2018
DECIDED ON: August 30, 2018

SURINDER KUMAR AND OTHERS

..PETITIONERS

VERSUS

STATE OF PUNJAB AND ANOTHER

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Ms. Riti Aggarwal, Advocate,
for the petitioners.

JASPAL SINGH, J. (ORAL)

Through the instant civil writ petition, preferred under Articles 226/227 of the Constitution of India, petitioners have sought issuance of a writ in the nature of Mandamus directing the respondents to refix their pay and pension in terms of instructions dated 22.06.2015 (P-12) granting the benefit of higher pay scale in terms of Government instructions dated 23.07.1957 and 19.02.1979 to all the teachers and in the light of the judgments passed in CWP No.2632 of 1985 decided on 21.02.1986 and CWP No.7862 of 1995 decided on 28.11.2013 (P-5 & P-10 respectively) on acquiring the higher qualification of M.A., M.Sc. as the case of the petitioners is squarely covered from the decisions rendered by this Court.

2. Learned counsel for the petitioners contends that though a legal notice dated 30.05.2018 (P-14) was made to the respondents but till date neither any response has been received nor any final decision has been

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taken thereof. She further submits that petitioners feel satisfied in case a direction is issued to respondent No.2 to decide the aforesaid legal notice (P-14) in the light of the instructions as well as judgments 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, Sector 62, Mohali to consider the grievances unfolded by the petitioners in the legal notice dated 30.05.2018 (P-14) and to take a conscious decision by passing a speaking order in the light of the instructions as well as 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 petitioners still feel aggrieved by any of the orders passed by the aforesaid authority, they shall be at liberty to have recourse to the remedies available under law and/or to approach this Court.

August 30, 2018

Ankur

**(JASPAL SINGH)
JUDGE**

**Whether speaking/reasoned
Whether reportable**

**Yes
Yes/No**