

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Sr. No.139

Civil Writ Petition No.21869 of 2018
DECIDED ON: August 30, 2018

DALIP SINGH AND OTHERS

..PETITIONERS

VERSUS

STATE OF PUNJAB AND OTHERS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Pawan Kumar Goklaney, Advocate,
for the petitioners.

JASPAL SINGH, J. (ORAL)

By virtue of instant petition preferred under Article 226/227 of the Constitution of India, petitioners have sought issuance of a writ especially in the nature of mandamus directing the respondents to grant one premature increment for non-participation in the strike dated 08.02.1978 in terms of judgment passed in CWP No.3504 of 1989, “**Ramesh Chander & ors. v. State of Punjab and ors.**”, decided on 18.05.2009 which is affirmed by the Hon'ble Supreme Court and in terms of CWP No. 1863 of 1993, “**Amarjit Kaur and ors. v. State of Punjab and ors.**”, decided on 03.10.2013 with all consequential benefits.

2. At the very outset of the arguments, learned counsel for the petitioners submits that though legal notice dated 21.05.2018 (P-8) was made to the respondents but till date no conscious decision has been taken

Civil Writ Petition No.21869 of 2018

thereon. He further submits that petitioners feel satisfied in case direction is issued to respondent No.2 to decide the afore-said legal notice (P-8), within some specified period.

3. Accordingly, instant petition is disposed of with a direction to respondent No.2-Director of Public Instructions (SE), Punjab, Vidya Bhawan, Phase VIII, SAS Nagar, Mohali to consider the grievances unfolded by the petitioners in legal notice dated 21.05.2018 (P-8) and to decide the same in the light of judgment passed by this Court in CWP No. 3504 of 1989, titled as “***Ramesh Chander and ors. v. State of Punjab and ors.***”, decided on 18.05.2009 (P-2), which has attained finality vide order dated 27.04.2015 passed by Hon'ble Apex Court (P-3), within a period of three months from the date of receipt of certified copy of this order.

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

August 30, 2018

Ankur

**(JASPAL SINGH)
JUDGE**

**Whether speaking/reasoned
Whether reportable**

**Yes
Yes/No**