

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No. 24492 OF 2018
DECIDED ON: SEPTEMBER 25, 2018

HARBANS SINGH

.....PETITIONER

VERSUS

STATE OF PUNJAB AND OTHERS

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. P.K. Goklaney, Advocate
for the petitioner.

JASPAL SINGH, J.

By virtue of instant petition preferred under Article 226/227 of the Constitution of India, petitioner has sought issuance of a writ especially in the nature of mandamus directing the respondents to extend the benefit in terms of decision of this Court in CWP-2208-1989, decided on 24.03.2009, titled as ***“Lekh Raj Khera and ors. v. State of Punjab and anr.”*** (P-5) and to grant him benefit of pay revision w.e.f. 01.11.1971 and further fixation of pay in the revised scale of pay in the next stage in new time scale as done in the case of other teachers including in the case of classical & vernacular teachers in view of the decision in the above judgment.

2. At the very outset of the arguments, learned counsel for the petitioner submits that petitioner feels satisfied in case direction is issued to respondent(s) to decide legal notice dated 27.09.2017 (Annexure P-6), within a

stipulated period.

3. Instant petition is disposed of with a direction to respondent(s) to look into the grievances unfolded by the petitioner in his legal notice dated 27.09.2017 (Annexure P-6) and to decide the same as per Rules, Regulations and instructions as well as in view of judgment captioned as “***Lekh Raj Khera and others v. State of Punjab and anr***” (P-5), within a period of three months from the date of receipt of certified copy of this order. However, relief shall stand restricted to 38 months in view of Full Bench judgment of this Court in “***Saroj Kumari v. State of Punjab and others***”, 1998(3) SCT 664.

4. As far as grant of interest on delayed payment is concerned that shall also be considered in view of the observations made by Full Bench of this Court in case captioned as “***R.S. Randhawa vs. State of Punjab, 1997 (3) RSJ 318***.”

5. However, if the petitioner still feels aggrieved against the order passed by the concerned authority, he shall be at liberty to have recourse to the remedies available under law as well as to approach this Court.

SEPTEMBER 25, 2018
sonika

(JASPAL SINGH)
JUDGE

Whether speaking/reasoned ***Yes***

Whether reportable ***Yes/No***