

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

**CWP No. 25639 of 2018
DECIDED ON: OCTOBER 05, 2018**

RAJ KUMAR AND ORS

.....PETITIONERS

VERSUS

STATE OF PUNJAB AND ORS

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. S.K. Rattan, Advocate
for the petitioners.

JASPAL SINGH, J (ORAL)

1. At the very outset, learned counsel for the petitioners has submitted that inadvertently respondents No.2 and 3 has been mentioned in the memo of parties as The Director Punjab Instructions (SE) and The Director Punjab Instructions (EE), instead of Director Public Instructions (Secondary Education) Punjab, State Education Complex, PSEB Building, 5th Floor, Phase-VIII, Mohali and Director Public Instructions (EE), Punjab. Accordingly, registry is directed to make the necessary correction in the memo of parties.
2. 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 grant them the benefit of previous service rendered by them in Govt. Aided School, towards fixation of their pay on their joining in Govt. Schools in terms of provisions of Rule 4.4 of Punjab Civil Services Rules along with all consequential benefits.

3. Learned counsel for the petitioners contends that though a legal notice dated 02.08.2018 (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 petitioners feel satisfied in case a direction is issued to respondent No.2 to decide the aforesaid legal notice (P-5) in the light of Instructions dated 15.11.2000 (P-2) as well as the law laid down by this Court in CWP No.4629 of 2012 decided on 19.02.2018 (P-4), in a time bound manner.

4. 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 petitioners in the legal notice dated 02.08.2018 (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.2 of this order, within a period of three months from the date of receipt of a certified copy of this order.

5. 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.

OCTOBER 05, 2018
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(JASPAL SINGH)
JUDGE

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