

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No.2824 OF 2018
DECIDED ON: JULY 10, 2018

URMILA DEVI AND ORS.

.....PETITIONERS

VERSUS

STATE OF PUNJAB AND ORS.

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Anshul Gupta, 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 in the nature of mandamus, directing the respondents to pay interest to them on the amount of arrears, which have been allowed to other similarly situated employees vide order dated 11.06.2009 (P-11) issued in compliance of judgment dated 28.08.1995 (P-6) during the contempt proceedings initiated by them in COCP No.271 of 2009 in CWP-341 of 1992. With further direction to respondents to take action on representation dated 20.06.2017 (P-10) and pass a speaking order.

2. The contention of learned counsel for the petitioners is that earlier petitioners preferred CWP No.5683 of 2017 (O&M), captioned as ***“Urmila Devi and others v. State of Punjab and others”***, decided on March 20, 2017 (P-9) whereby petitioners were permitted to withdraw the said petition with

liberty to approach the department for grant of interest on delayed payment. Pursuant thereto, petitioners have approached the respondents vide representation dated 20.06.2017 but till date despite the fact that a period of more than a year has elapsed, no final decision has been taken.

3. Learned counsel for the petitioners further submits that petitioners feel satisfied in case direction is issued to respondent No.2 to decide representation (P-10), within a stipulated period.

4. Without expressing any opinion on the merits of the case, instant petition is disposed of with the direction to respondent No.2-Director Public Instructions (S), Vidya Bhawan (Punjab School Education Board), Ajitgarh Mohali to consider the claim put forth by petitioners in their representation (P-10) and take a conscious decision with regard to interest on delayed payment keeping in view Punjab Govt. Instructions No.1/15/90IFPIII/4226, dated 10.05.1990 as well as in the light of judgment captioned as ***“Roshan Lal and others v. State of Punjab and others”***, CWP No.13275 of 2012 (O&M) (P-7), passed in a similarly situated persons, within a period of three months from the date of receipt of certified copy of this order.

4. In case any adverse order is passed by the respondent-authority, petitioners shall be at liberty to have recourse to the other remedies available under law as well as to approach this Court.

JULY 10, 2018
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(JASPAL SINGH)
JUDGE

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