

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

Sr. No.116

Civil Writ Petition No.4573 of 2018
DECIDED ON: February 26, 2018

AJIT SINGH AND OTHERS

..PETITIONERS

VERSUS

STATE OF PUNJAB AND OTHERS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. A.D.S. Bal, Advocate,
for the petitioners.

JASPAL SINGH, J. (ORAL)

By virtue of the instant civil writ petition, preferred under Articles 226/227 of the Constitution of India, petitioners have sought the issuance of a writ in the nature of mandamus directing the respondents to grant benefit of period of officiation on higher posts exercising the powers of Drawing and Disbursing Officers for the period for which they actually exercised these powers and grant them all consequential benefits including re-fixation of their pay and pensionary benefits and for grant of all arrears accruing therefrom.

2. The contention of learned counsel for the petitioners is that petitioners joined Punjab School Education Department on different dates and retired on attaining the age of their superannuation. The petitioners were entitled to the payment of higher pay scale of the posts on which they were officiating and exercised powers of Drawing and Disbursing Officers. But the same were not given to them. Then petitioners served a legal notice

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dated July 19, 2017 (P-3) upon the respondents through their counsel, but till date no conscious decision has been taken by the concerned authorities. Learned counsel for the petitioners further submits that they feels satisfied in case a direction is issued to respondent No.2 to decide the aforesaid legal notice (P-3) in the light of the judgment in case ***Jagjit Singh & ors. vs. State of Punjab & ors., CWP No.17358 of 2015***, decided on September 09, 2016 passed by this Court, within some specified period.

3. Without expressing any opinion on the merits of the case, instant petition is disposed of with a direction to respondent No.2 to look into the grievances unfolded by the petitioners in the aforesaid legal notice dated July 19, 2017 (P-3) and to take a conscious decision by passing a speaking order in the light of the judgment ***Jagjit Singh's case (supra)***, which has attained finality as per the version of the learned counsel for the petitioners, within a period of four months from the date of receipt of a certified copy of this order. In case of non compliance of this order, petitioners shall be at liberty to approach this Court.

February 26, 2018

Ankur

**(JASPAL SINGH)
JUDGE**

**Whether speaking/reasoned
Whether reportable**

**Yes
Yes/No**