

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

303

CWP No.16582 of 1995
Date of decision: 01.11.2019

Banaras Kanta

.....Petitioner

versus

State of Punjab and others

....Respondents

CORAM: Hon'ble Mr. Justice Girish Agnihotri

Present: Mr. Gaurav Chopra, Advocate for the petitioner.

Ms. Deepali Puri, Addl. A.G., Punjab.

GIRISH AGNIHOTRI, J.

This Writ Petition has been filed under Article 226/227 of the Constitution of India for issuing writ in the nature of mandamus for directing the respondents to grant three advance increments to the petitioner on the basis of her qualification of Parbhakar while being appointed as JBT Teacher and subsequently on promotion from JBT Teacher to C&V Post according to the service rules. It was also prayed that appropriate directions be issued to the respondents to give all other consequential benefits along with all retiring benefits arising therefrom to the petitioner after fixing her pay for which she is legally entitled.

2. Written statement dated 22.04.1996 was filed on behalf of respondents No.1 & 2. In preliminary objection of the written statement, the following stand has been taken by the State:-

“That the petitioner has been given three advance increments at the time of her promotion/adjustment as Hindi Teacher in 1972 as it is very clear from the service book (Annexure R-1) on dated 23.2.72. She was placed in the grade of Rs.170-350 which was given to the other C&V Teachers i.e. Hindi and Punjabi Teachers in the State of Punjab. She was given three advance increments on the same day and the respondents fixed her pay Rs.191/-. Hence the petitioner has been already given the benefit of three advance increments. Therefore, petitioner is not entitled for any relief.”

In Para-6 of the written statement, it has further been contended
i.e as under:-

“The contents of Para No.6 of the writ petition are admitted that three advance increments were given to the Hindi and Punjabi teachers and not to the J.B.T. Teachers. The petitioner was appointed as J.B.T. and and the grade of J.B.T. was given to the petitioner. When the petitioner placed in the C&V cadre i.e. Hindi Teacher. The petitioner was given three advance increments.”

In view of the above, learned counsel for the parties very fairly submit that no further orders are called for in the present writ petition.

The Writ Petition is disposed of accordingly.

(GIRISH AGNIHOTRI)
JUDGE

01.11.2019
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Whether speaking/ reasoned:
Whether Reportable:

Yes/No
Yes/No