

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(213)

CWP-22767-2016

Date of Decision : April 25, 2022

Prit Pal Singh and others

.. Petitioners

Versus

State of Punjab and others

.. Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Kapil Kakkar, Advocate, for the petitioners.

Ms. Anju Sharma Kaushik, Deputy Advocate General,
Punjab.

HARSIMRAN SINGH SETHI J. (ORAL)

Present petition has been filed by the petitioners claiming that their cases are covered by the judgment rendered by this Court in ***CWP No.25733 of 2012 titled as A.P. Sharma and others versus State of Punjab and others, decided on 22.10.2013***, which judgment has already been upheld by the Division Bench of this Court while passing order in LPA No.352 of 2014 decided on 31.08.2016.

Learned counsel for the petitioners argues that the petitioners are entitled for the same relief as being granted to the petitioners in ***A.P. Sharma's case (supra)***.

After notice of motion, a short reply has been filed by the respondents and relevant paragraph of the short reply i.e. paragraph 4 is as under:-

“4. That it is submitted that 50 petitioners are arrayed as a party in the present writ petition and out of these 50 petitioners, 15 petitioners belong to Secondary Education Department. Rest of the petitioners belong to Elementary

Education Department i.e. Respondent No.3. The compliance reports have been received from different District Education Officers (SE) and District Education Officers (EE). The petitioners who have been benefited whose status report is appended as annexure R-2. On the other hand, the petitioners who have not been benefited, their status report is appended as Annexure R-3.”

Learned counsel for the petitioners submits that though, seven petitioners have been found entitled for the relief as per Annexure R-2 but large number of petitioners have been declined the relief, the details of whom have been given in Annexure R-3 but no reason has been given as to why, they have not been found entitled for the benefit.

The present petition is disposed of with direction to the respondents that in case, any of the petitioner, whose name have been mentioned in Annexure R-3 approaches respondents with a representation and according to the respondents, he/she is not entitled for the grant of benefit as given by the Coordinate Bench of this Court in ***A.P. Sharma's case (supra)***, the respondents will pass appropriate orders on the said representation giving detailed reasoning as to why, they are not entitled for the relief, within a period of eight weeks of the receipt of the said representation.

It is made clear that in case thereafter the petitioners are aggrieved with the said reason, the petitioners will be at liberty to avail appropriate remedy for the redressal of their grievance.

April 25, 2022
harsha

(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes
Whether reportable : No