

129 (2 cases)

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

1. CWP-15328-1995 (O&M)
Surinder Pal and others Petitioners
Vs.
State of Punjab and others Respondents

2. CWP-16186-1994 (O&M)
Om Parkash Sareen and others Petitioners
Vs.
State of Punjab and others Respondents

Date of Decision: 29.11.2023

CORAM: HON’BLE MR. JUSTICE SANJEEV PRAKASH SHARMA

Present: None for the petitioners.
Mr. R.K. Kapoor, Addl. A.G., Punjab.
Mr. Charanpreet Singh, AAG, Punjab.

SANJEEV PRAKASH SHARMA, J.(Oral)

1. These two writ petitions raise issues which are no more *res integra* in view of the judgment passed by the Supreme Court reported in **1996 Scale (5) 196, State of Punjab and others vs. Om Parkash Kaushal and others** and **State of Punjab and others vs. Gulshan Lal Aul and others**.
2. The Apex Court has rejected the claim of the teachers working in the private aided institutions for granting them increment on account of

acquiring higher educational qualifications in terms of the executive instructions issued on 01.12.1967 in favour of the government teachers, holding that the benefits and incentives granted to the government teachers are not admissible to the teachers working in private institutions receiving grant in aid. The Apex Court, having held so, set aside the judgment passed by the Division Bench of this Court granting the benefit to the teachers similarly situated to the petitioners.

- 3. In view of the aforesaid judgment, the writ petitions fail and are accordingly *dismissed*.
- 4. All pending applications also stand disposed of accordingly.

(SANJEEV PRAKASH SHARMA)
JUDGE

November 29, 2023
Mohit goyal

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| 1. Whether speaking/reasoned? | Yes/No |
| 2. Whether reportable? | Yes/No |