

**IN THE HIGH COURT OF PUNJAB & HARYANA, CHANDIGARH**

Sr. No.: 104

Civil Writ Petition No.6183 of 1995
Date of Decision: November 06, 2024Chander Kanta & others

..... PETITIONER(S)

*VERSUS*State of Haryana & others

..... RESPONDENT(S)

CORAM: HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA**PRESENT:** - Mr. Subhash Ahuja, Advocate, for the petitioners.Mr. R.S. Budhwar, Additional Advocate General,
Haryana.**Tribhuvan Dahiya, J (Oral)**

The petition has been filed, *inter alia*, seeking a writ of *mandamus* directing the respondents to release the selection grade to the petitioners on the basis of fifteen per cent of the total strength of teachers, holding permanent as well as temporary posts, with all consequential benefits.

2. At the outset, learned counsel for the petitioner contends that the Government itself, vide letter dated 20.08.1996, signed by the Joint Secretary (finance), for Financial Commissioner & Secretary to Government, Haryana, Finance Department, has given the benefit to all the similarly placed employees. The Supreme Court while deciding Civil Appeal Nos.3236-3274 of 1997, *State of Haryana & others v. Rai Chand Jain & others*, while adverting to the letter has observed as under:

4. In view of the above direction, we are of the view that since the Government itself has accepted to compute the selection grade wherever available prior to 1.1.86 and to work it out on the basis of the total strength of the cadre including



permanent and temporary posts with consequential benefits including arrears for 38 months preceding the date of the decision i.e. dated 20.8.1996, these cases need no interference.

Accordingly, the petitioners are also entitled to the same benefit in terms of the letter dated 20.08.1996.

3. Learned State counsel is not in a position to dispute the factual aspects leading to disposing of the civil appeals by the Supreme Court.
4. In view thereof, the petition is disposed of directing the Government to release the due benefits to the petitioners in the light of decision taken vide letter dated 20.08.1996, within three months of receiving a certified copy of this order.

(Tribhuvan Dahiya)
Judge

November 06, 2024
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<u>Whether Speaking/ Reasoned:</u>	<u>Yes/ No</u>
<u>Whether Reportable:</u>	<u>Yes/ No</u>