

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

126

CWP-4601-2024 (O&M)
Date of decision: 28.02.2024

Kulwinder Kaur and Another

....Petitioners

Versus

State of Punjab and Others

...Respondents

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. Jugam Arora, Advocate for the petitioners

AMAN CHAUDHARY. J.

1. The present civil writ petition has been filed under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of mandamus or such other appropriate writ, order or directions to the respondents to grant the petitioners benefit of previous service rendered by them in the Govt. Aided School towards fixation of their pay on his joining in the Govt. School.

2. Learned counsel for the petitioners submits that the benefit of previous service rendered in Government aided schools towards fixation of their pay upon having joined the Government schools with consequential benefits was granted to similarly situated in terms of the judgment of this Court in **Sunil Kumar Sharma and Others vs. State of Punjab** in CWP-4629-2015, whereby a batch of petitions were allowed on 19.02.2018, Annexure P-3 against which the LPA and SLP, both stand dismissed and it was implemented vide order dated 06.12.2023. In wake of the above, a legal notice dated 04.01.2024 (Annexure P-5) has been served upon the respondents, which is still pending. He thus, at this stage, on instructions, submits that the petitioners are sanguine of it being considered in a positive manner, in case, a direction is given to the respondents to

decide the same in a time bound manner by granting him an opportunity of hearing.

3. Notice of motion.
4. At the asking of the Court, Mr. Charanpreet Singh, AAG Punjab accepts notice on behalf of the respondent-State and has no objection to the limited prayer made.
5. In view of the aforesaid and without commenting upon the merits of the case, this petition is hereby disposed of with a direction to respondent Nos.2 and 3 to look into the legal notice dated 04.01.2024 (Annexure P-5) and decide the same within a period of 4 months considering the judgment and the order dated 06.12.2023 implementing it, by passing a speaking order, in accordance with law. In case, the petitioners are found entitled to the benefits, the same be released to them forthwith.

(AMAN CHAUDHARY)
JUDGE

28.02.2024
M.Kamra

Whether speaking/reasoned

Whether reportable

:

Yes / No

:

Yes / No