

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

203

**CWP No.6838 of 1997
Date of Decision : 25.4.2024**

*Chander Kala and others**..... Petitioners**versus**The State of Haryana and others**..... Respondents*

CORAM: HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA

Present: None for the petitioners

Ms. Tanushree Gupta, DAG, Haryana

TRIBHUVAN DAHIYA J. (ORAL):

The petition has been filed, *inter alia*, seeking a writ of *mandamus* directing the respondents to grant the petitioners benefit of break period salary as the similarly situated teachers have been granted the said benefit vide letter dated 14.2.1995, Annexure P-7.

2. Pursuant to the order dated 2.2.2024, an affidavit dated 14.3.2024 of Additional Director, Administration in the office of Director, Elementary Education Haryana, has been filed stating that the relief claimed, i.e., break period salary, already stands released to all the petitioners except petitioners no.1, 6, 7 and 44, who were not found entitled for the same since they never worked in the Department on *ad hoc* basis as per the office record; as also petitioner no.26, who was relieved from service on account of joining of regular teacher at that point of time. Further, the record pertaining to petitioners no.12, 23 and 33 could not be traced despite efforts, and it could not be ascertained as to

whether the due benefits of break period salary was released to them. The Department is making efforts to trace the records and find out about it.

3. In view of the affidavit filed on behalf of the respondents, it is apparent that the claim raised in the petition stands satisfied except in case of petitioners no.12, 23 and 33, as facts regarding the benefits released to them are yet to be established; and petitioner no.26 is not entitled to the same.

4. Accordingly, the petition is disposed of with direction to the respondents to release the due benefits to the remaining petitioners no.12, 23 and 33, in case it is found that the same has not been released earlier.

(TRIBHUVAN DAHIYA)
JUDGE

25.4.2024
Ashwani

Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No