

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

206

CWP-6502-1998 (O&M)
Date of decision: 20.03.2024

Saroj Bala and Others

....Petitioners

Versus

State of Punjab Through The Secy. to Govt. and Ors.

...Respondents

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. R.K. Arora, Advocate for the petitioners

Mr. Manipal Singh Atwal, DAG Punjab

AMAN CHAUDHARY. J. (ORAL)

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 directing the respondents to extend the petitioner the benefit of the judgment rendered by this Court in CWP-3490-1991, upheld by Hon'ble the Supreme Court vide its decision dated 15.04.1996.

2. Learned counsel submits that the petitioners, who were working as JBT teacher, had acquired the required qualification of Gyani/Prabhakar. In terms of the instructions dated 23.07.1957, Annexure P-1, they were granted the pay scale of classical and vernacular teachers. It is on 17.02.1989, the pay scale of the C&V teachers were revised, however, the petitioners were not granted the same. This issue decided by this Court in CWP-3490-1991, granting relief to similarly situated employees, vide judgment dated 06.09.1991, Annexure P-4, against which the SLP was dismissed by Hon'ble the Supreme Court vide judgments dated 15.04.1996, Annexure P-5 as well as review petition on 24.07.1997, Annexure P-6, whereafter it was implemented vide orders dated 28.08.1997 and 27.09.1997,

Annexure P-8 and P-10. In the reply to the legal notice as also in the written statement, plea of pending of Civil Appeal Nos.6523-6524 of 1995 titled as **State of Punjab vs. Suresh Chander and Others**, was taken, which now stands dismissed by Hon'ble the Supreme Court vide judgment dated 30.04.2003. He thus, on instructions, submits that respondents may be directed to decide the claim based on the above in a time bound manner.

3. Learned State counsel has no objection to the limited prayer made.
4. In view of the aforesaid and without commenting upon the merits of the case, this petition is hereby disposed of with a direction to respondents to consider and decide the claim of the petitioners, taking note of the judgments referred to above as also the orders dated 28.08.1997 and 27.09.1997, Annexure P-8 and P-10, within a period of 6 months and if found entitled, necessary benefits be granted to the petitioners forthwith.

(AMAN CHAUDHARY)
JUDGE

20.03.2024
M.Kamra

Whether speaking/reasoned

:

Yes / No

Whether reportable

:

Yes / No