

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

124

CWP-7007-2024
Date of decision: 22.03.2024

Davinder Sharma and others
....Petitioners
Versus
State of Punjab and others
...Respondents

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Ms. Bandana Dogra, Advocate
for the petitioners.

AMAN CHAUDHARY. J (ORAL).

1. The prayer in the present Civil Writ Petition filed under Articles 226/227 of the Constitution of India, is to issue a writ in the nature of mandamus, for directing the respondents to grant benefit of previous service rendered by the petitioners in Government Aided Schools towards fixation of their pay on their joining.
2. Learned counsel would submit 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 13.02.2024, Annexure P-6, has been served upon the respondents, which has yet not evoked any response. She 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 them 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 the respondents to consider the legal notice dated 13.02.2024, Annexure P-6 and decide the same taking note of the aforesaid judgment and order dated 06.12.2023, referred to, by the petitioners, within a period of six months and if found entitled, necessary benefit be granted to them forthwith. However, in the eventuality of the relief being denied, a speaking order be passed, after associating the petitioners therewith.

(AMAN CHAUDHARY)
JUDGE

22.03.2024
Hemant

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No