

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

126

CWP-10030 of 2024
Date of Decision:02.05.2024

Satpal and others

....Petitioners

Versus

State of Punjab and another

.....Respondents

CORAM: HON’BLE MR. JUSTICE AMAN CHAUDHARY

Present: Mr. Ajay Chaudhary, Advocate, for
Mr. R.S. Manhas, Advocate,
for the petitioners.

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 count the service as rendered by the petitioners in Government Aided Privately Managed School prior joining of Government school.
2. Learned counsel submits that the benefit of previous service rendered by the petitioners in Government aided schools towards qualifying service for pension 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, against which the LPA and SLP, both stand dismissed and it was implemented vide order dated 06.12.2023. In this regard, a legal notice dated 30.09.2023 (Annexure P-6) has been served upon the respondents, which has yet not evoked any response. 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 them an opportunity of hearing.

3. Notice of motion.
4. At the asking of the Court, Mr. Satnampreet Singh, DAG, 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 decide the legal notice dated 30.09.2023, Annexure P-6, taking note of the judgment referred to above as also the pleas raised, which this Court has no reason to believe the authorities would not address in a just, fair and reasonable manner. Upon doing so, after notice and hearing offered to them, and if found entitled, grant the benefit forthwith. Needless to say, if the orders are adverse to their interest, the same shall contain reasons and the petitioners shall be free to seek legal redress.

(AMAN CHAUDHARY)
JUDGE

May 02, 2024
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Whether speaking : Yes/No

Whether reportable : Yes/No