



CWP No. 17793 of 2024

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(127)

CWP No. 17793 of 2024

Date of Decision : 30.07.2024

Diwan Chand Kumar

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Jagtar Kureel, Advocate for the petitioner.

Mr. Swapan Shorey, Deputy Advocate General, Punjab.

Harsimran Singh Sethi J. (Oral)

1. In the present petition, the grievance being raised by the petitioner is that the wife of the petitioner was working in an Aided Institution and she was working since the year 1975 and was possessing higher qualification than the one required for appointment to the post in question, hence, the wife of the petitioner was entitled for the grant of 2/3 increments on possession of the higher qualification.

2. Notice of motion.

3. On the asking of the Court, Mr. Swapan Shorey, learned Deputy Advocate General, Punjab, who is present in Court, accepts notice on behalf of the respondent-State.

4. Learned State counsel submits that the question of law raised in the present petition with regard to the grant of 2/3 increments on possession of the higher qualification qua the Teachers working in the Private Aided



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Institution came up for consideration before the Co-ordinate Bench and the same was rejected while passing order in CWP No. 15328 of 1995 titled as ***Surinder Pal and others Vs. State of Punjab and others***, decided on 29.11.2023, hence, the claim of the petitioner is liable to be rejected keeping in view the order passed by the Co-ordinate Bench.

5. Learned counsel for the petitioner has not been able to differentiate that the judgment in ***Surinder Pal and others (supra)*** is not applicable upon the case of the petitioner as wife of the petitioner was also working in a Private Aided Institution.

6. Keeping in view the said fact, the present petition is also dismissed in terms of the order passed in ***Surinder Pal and others (supra)***.

July 30, 2024
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No