



CWP-1447-2002

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

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CWP-1447-2002 (O & M)
Date of decision: 07.03.2025

Gian Singh Sandhu and others

....Petitioners

Versus

State of Punjab and Others

...Respondents

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. Kapil Kakkar, Advocate,
for the petitioners.

Mr. Satnam Preet Singh Chauhan, DAG, Punjab.

AMAN CHAUDHARY, J. (ORAL)

1. Prayer made in the present petition is for directing the respondents to grant increments of Proficiency step-up after 8/18 years of service as has been given to the similarly situated teachers as per the Govt. instructions, alongwith consequential benefits.

2. Reliance in the written statement by the State was on the pendency of SLP (Civil) No.10552-1993, which was converted to Civil Appeal Nos.6523-6524 of 1995, **State of Punjab and others vs. Suresh Chander and others**, and disposed of on 30.04.2003, relevant para whereof reads thus:

“Heard. Mr. Atul Nanda, learned Additional Advocate General, for the appellants and the learned senior counsel appearing for the respondents.

Though elaborate submissions have been made after making extensive reference to the historical background of the problems in these appeals and the



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various judicial pronouncements governing the matters under consideration, in our view, the issues involved for determination stood already finally and firmly settled by the decisions of this Court reported in State of Punjab and another vs. Kirpal Singh Bhatia and others [1975 (4) SCC 740], Punjab Higher Qualified Teachers and others vs. State of Punjab and others, [1988 (2) SCC 407], Chaman Lal and others vs. State of Haryana [1987(3) SCC 113] and Wazir Singh, JBT Teacher and others vs. State of Haryana through its Secretary, Education Department and others [1995 SUPP. (3) SCC 697]. In the light of the principles laid down therein, no exception whatsoever can be taken, in our view, to the decision arrived at in all these cases by the High Court. We see no merit in these appeals. The appeals shall stand, therefore, dismissed. No costs.

CA Nos.16652-16655/1996

Mr. R.K.Chopra, the learned counsel appearing in these appeals contends that these appeals have been filed by the teachers who have acquired qualification subsequently. In view of the principles laid down by the earlier decisions of this Court and judgments of the High Court affirmed by us as noticed (supra), there is no scope for countenancing their claims also and these appeals shall also stand dismissed. No costs.”

3. Learned counsel for the petitioners submits that the State may be directed to consider the matter in the light of the afore judgment, in a time bound manner, to which learned State counsel has no objection.

4. In view of the above, this petition is hereby disposed of with a direction to the respondents to consider the claim of the petitioners taking note of the judgment referred, within a period of 4 months, 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

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reasons and the petitioners shall be free to seek legal redress thereupon.

07.03.2025

parveen kumar

(AMAN CHAUDHARY)
JUDGE

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No