

Office Order No: A2/2017-

Dated:

Subject:- Speaking Order

Whereas Sh. Mukhbinder Singh & others have filed CWP No. 1965 of 2017 in this Hon'ble Punjab & Haryana High Court with a prayer that this Hon'ble Court may be pleased to issuance of a writ in the nature of mandamus directing the respondents to permit the petitioners to exercise option of revised pay scale from 01.01.1993 in view of changed circumstances created by the change in Master Scale vide Notification issued on 24<sup>th</sup> December, 1992 (Annexure P-1). Sh. Subash Chander (Retired) CHT S/o Hans Raj, GES Hardoputli, Block Ajnala-1, Sh. Gurinder Singh (Retired) Head Teacher S/o Sh. Satwant Singh GES Kangra Colony, Block Amritsar-5, Smt. Harjeet Kaur (Retire) JBT D/o Sh. Amar Singh GES Wadala Dogra, Block Jandiala Guru and Smt. Hardeep Kaur (Retirted) JBT D/o Gyan Singh GES Sathiala Block Rayya-1 are petitioner in this writ petition at sr. no. 2,3,4 and 6 the Hon'ble Punjab & Haryana High Court was pleased to dispose of this writ petition vide order dated Feburary3, 2017 as under:-

" KULDIP SINGH, J. (ORAL)

Petitioners retired from service as Lecturers on different dates. They Seek the writ in the nature of mandamus directing the respondents to permit the petitioners to exercise the option for revised pay scale w.e.f. 1.1.1993 in view of changed circumstances created by the change in master scale vide Notification issued on 24.12.1992 (Annexure P-1).

Learned counsel for the petitioners contends that the controversy has been settled by a judgment of this Court rendered in Civil Writ Petition No. 7464 of 2009 titled as "Surinder Kumar and Other V State of Punjab and other" The Petitioner have already issued a legal notice 25.12.2016 (Annexure P-6).

In the circumstances, the petition is disposed of with a direction to the respondents to consider the claim of the petitioners as raised in legal notice dated 25.12.2016 (Annexure P-6) and after considering the judgment of Surinder Kumar and others' case (supra) pass a speaking order as to whether the petitioners case is covered by the said

decision and if it is so whether they are entitled in notional consequential benefits. The necessary order be passed within Two months from the date of receipt of a certified copy of this order.

February 03, 2017

(KULDIP SINGH)

JUDGE"

I, Salwinder Singh, D.E.O., (E.E.) Amritsar have carefully considered the claim of the above petitioners as per decision of the Hon'ble Court dated 03/02/2017 along with Surinder Kumar and others' case (supra) order dated 25.02.2010 in CWP No. 7464 of 2009 and allow the above petitioners to change their option w.e.f. 1.1.1993. However the petitioners will be entitled to notional fixation of Pay/Pension and arrears as per order dated 25.02.2010 in Surinder Kumar and others' case (supra) in CWP No. 7464 of 2009.

(Salwinder Singh)

District Education Officer (E.E.)  
Amritsar

Endst No. even

Dated:

A copy of the above is forwarded for information and necessary action to the following:

1. DPI (Elementary Punjab, (Mohali)
2. B.E.E.O., Ajnala-1, Jandiala Guru, Amritsar-5 and Rayya-1.
3. Concerned Petitioners.

District Education Officer (E.E.)  
Amritsar