

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

**CWP No. 13954 of 2013  
Date of decision: 03.07.2013**

*Sumitran Devi*

*.... Petitioner*

vs.

*State of Punjab & another*

*.... Respondents*

**CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA.**

Present: Mr. Malkeet Singh, Advocate for the petitioner.

....

***Tejinder Singh Dhindsa, J. (Oral).***

The petitioner retired on 31.08.2002 upon attaining the age of superannuation having served the respondent-department as a Junior Vernacular Teacher. The present writ petition has been filed claiming the benefit of revised higher grade of Rs.660-1200/- w.e.f. 01.01.1978 upon revision of grade payable to JST Teachers entitled for masters' grade as per qualifications. Such claim is being raised on the strength of Instructions dated 23.07.1957 at Annexure P-1. Still further, reliance has been placed upon a judgment dated 15.04.2009 (Annexure P-5) passed by this Court in ***CWP No. 3931 of 1992 titled as Baldev Raj Mittal & others Vs. State of Punjab & others*** and other connected petitions in which identical relief had been granted.

In view of the facts noticed hereinabove, I deem it appropriate to dispose of the present writ petition with a direction to respondent No. 2 to consider the claim of the petitioner and to take a final decision on the legal notice dated 08.05.2013 (Annexure P-3) strictly in accordance with law and

by passing a speaking order within a period of four months from the date of receipt of a certified copy of this order.

It is clarified that in the eventuality of the claim of the petitioner being found covered under the judgment passed in Baldev Raj Mittal's case (supra), it shall be open for the respondent-authorities to grant the benefit of revised pay fixation to the petitioner on a notional basis and thereafter to grant to her the revised pensionary benefit accruing thereupon.

Disposed of.

**3<sup>rd</sup> July, 2013**

*harjeet*

**(TEJINDER SINGH DHINDSA)  
JUDGE**