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16/6/2026

Order No. DPISE-EST30CC(CWP)/12/2026-ESTABLISHMENT-3-DPISE/1056329
Dated, SAS Nagar: 11.06.2026

And Whereas, Sh. Som Nath aged 65 years son of Pohlo Ram, Hindi Master (retired) Govt. Middle School Sai Dowal, Complex Govt. High School Gumtala, Distt. Jalandhar R/o R/o VPO Cheema Kalan, Tehsil Phillour, Distt. Jalandhar. (Adhar no. 8425 1310 0238) (Mobile no. 90416-94125 and other 7 filed CWP 18777 of 2025 titled as Som Nath versus State of Punjab and prayed inter-alia as under:-

"quashing the impugned order dated 28.03.2025 (P-8) by which claim of the petitioners for protection of pay/fixation of pay on joining Government School under rule 4.4 of Punjab Services Rules has been rejected on the ground of delay and laches, which is arbitrary, illegal, unconstitutional and violative of settled law on the issue that the claim regarding pay fixation/ Pension is recurring cause and such claim cannot be denied on the ground of delay and laches and thus not satiable in the eyes of law and may kindly be quashed, in the interest of justice.

Further, issuance of a writ, order or directions especially in the nature of mandamus directing the Respondents to grant the petitioners benefit of previous service rendered by them in Privately Managed Government Aided Schools towards fixation of pay on joining government School/service in terms of provisions of rule 4.4 of Punjab Civil Services Rules and also in view of the order passed in CWP No. 4629 of 2012 titled as Sunil Kumar Sharma and others Vs State of Punjab allowed on 19.02.2018 involving the same law points (P-3) and LPA No. 1853 of 2018 titled as State of Punjab Vs. Sunil Kumar Sharma and others, which has been dismissed by Hon'ble Court vide order dated 16.09.2022 (P-4) and respondents have passed the speaking order dated 06.12.2023 implementing the above said judgment/order (P-5) and the same relief may kindly be granted to the petitioners with all consequential benefits i.e. revised pay, pension and other pensionary benefits along with the interest @ 12% P.A. in the interest of justice."

2.0 And Whereas, the Ld. Single Bench vide order dated 04.12.2025 disposed of with following direction to the respondents with following manner:-

"For order, see order of even date (i.e. 04.12.2025) passed in CWP-18887-2024 titled as Narinder Singh and others Vs. State of Punjab and others vide which the present writ petition has been disposed of in terms of order passed in connected case i.e. CWP-19065-2024 titled as Ashwani Kumar and others Vs. State of Punjab and others. Pending miscellaneous application(s), if any, also stands disposed of."

3.0 And Whereas, the claim of the petitioners in above titled petition in the subject matter and reference there under was considered in the light of the official record and rules governing the service conditions of the petitioners. The claim of the also considered in the light of judgment and order passed by the Ld. Single Bench in CWP no. 4629 of 2012, wherein the Hon'ble Court held that the petitioners were working on the aided posts and were being paid 95% by the State with overall control upon their services. The appointments against the aided posts are made with the approval of the Director. As per Section 4 of the Punjab Privately Managed Recognized School (Security of Service) Act, 1979 (for short "the Act"), no employee shall be dismissed, removed, terminated or reduced either in rank or within a time scale except with the prior approval of the Director. As per Section 7 of the Act, while working in the aided schools they were entitled to the scale of pay and dearness allowances equivalent to the employees of the state Government holding corresponding posts.

4.0 And Whereas, the previous service rendered by the petitioners have already been counted for the purpose of qualifying service for pension. There is no break/Gap in service between service rendered by the petitioner in Privately Managed Aided School and Government school. It is further averred that as regard to claim of the petitioners regarding benefit of previous service rendered in Privately Managed Aided School towards fixation of pay protection on joining government service in terms of provisions of rule 4.4 of Punjab Civil Services Rules Volume-1, Part-1. In this regard, it is submitted that the petitioners had joined Government service as Master Cadre during 1978 to 1997 and invoked the jurisdiction of a writ court after gap of 36-40 (approximately) years, they should had come to the court at the earliest. There is negligence or omission on the part of the petitioners to assert their right. Delay comes in the way of equity. Law does not permit one to sleep and rises like a phoenix. In this backdrop, the petitioners

arded their claim after the lap of unexplained 28-47 (approximately) years. Thus the claim of the petitioners for pay protection is not acceptable on the ground of delay and laches.

5.0 In view of aforesaid legal and factual position I, the undersigned has come to the irresistible conclusion that the claim of the petitioners raised in CWP 18777 of 2025 titled as Som Nath versus State of Punjab is hereby partly accepted qua counting of previous service for pensionary benefits only in terms of judgment and order passed in CWP no. 20867 of 2024, Suresh Kumar vs. State of Punjab, decided on 28.08.2024, and claim for pay protection is rejected being considered as service benefit which cannot be allowed in terms of orders passed in Suresh Kumar's case. The Drawing and Disbursing Officers are directed to take necessary steps for the compliance of the order meticulously.

Ordered accordingly.

Sakatar Singh, P.C.S

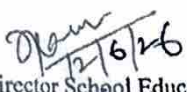
Director School Education (Secondary), Punjab

Endst-even 2026/63447-48

Dated 15/06/2026

A copy of above is sent to following for information and take necessary action.-

1. All District Education officer (S.E).
2. All the petitioner (as per list enclosed).


Assistant Director School Education (Secondary)

ਦਫਤਰ ਜਿਲਾ ਸਿਖਿਆ ਅਫਸਰ(ਸੈ.ਸਿ) ਬਠਿੰਡਾ

ਪਿਠਾਅੰਕਣ ਨੰ: ਅ-1/1()2026/ 11/5

ਮਿਤੀ 16.6.2026

ਉਪਰੋਕਤ ਦਾ ਉਤਾਰਾ ਸੰਬਧਤ ਸਕੂਲ ਮੁਖੀਆਂ ਨੂੰ ਭੇਜ ਕੇ ਲਿਖਿਆ ਜਾਂਦਾ ਹੈ ਕਿ ਉਕਤ ਸਪੀਕਿੰਗ ਆਰਡਰਾਂ ਨੂੰ ਸੰਬਧਤ ਪਟੀਸ਼ਨਰਾਂ ਨੂੰ ਨੋਟ ਕਰਾਉਣਾ ਯਕੀਨੀ ਬਣਾਇਆ ਜਾਵੇ ਅਤੇ ਕਾਰਵਾਈ ਰਿਪੋਰਟ ਇਸ ਦਫਤਰ ਨੂੰ ਭੇਜੀ ਜਾਵੇ।


ਜਿਲਾ ਸਿਖਿਆ ਅਫਸਰ (ਸੈ. ਸਿ)
ਬਠਿੰਡਾ