ਦਫਤਰ ਡਾਇਰੈਕਟਰ ਆਫ ਸਕੂਲ ਅਜੂਕੇਸ਼ਨ (ਸਕੈਂਡਰੀ) ਪੰਜਾਬ,

ਪੀ.ਐਸ.ਈ.ਬੀ.ਕੰਪਲੈਕਸ, ਫੇਜ਼-8, ਸ.ਅ.ਸ.ਨਗਰ।

(ਵੋਕੇਸ਼ਨਲ ਸ਼ਾਖਾ)

ਵੱਲ,

ਸਮੂਹ ਜ਼ਿਲ੍ਹਾ ਸਿੱਖਿਆ ਅਫਸਰ (ਸੈ.ਸਿੱ.)
ਪੰਜਾਬ।

ਮੀਮੋ ਨੰ. (E-543689) ਵੋਕ(3)261681
ਮਿਤੀ,ਐਸ.ਏ.ਐਸ.ਨਗਰ – 7.10.2024

ਵਿਸ਼ਾ:- C.M.no.12679 of 2022 in COCP no 4046 of 2019 Tejwinder singh ors vs state of punjab.

ਉਪਰੋਕਤ ਵਿਸ਼ੇ ਸਬੰਧੀ ਆਪ ਨੂੰ ਪਹਿਲਾਂ ਹੀ ਇਸ ਦਫਤਰ ਦੇ ਮੀਮੋ ਨੰ. 23/5-2020ਵੋਕ(3)/2023227175, ਮਿਤੀ 14.08.2023 ਰਾਹੀਂ ਮਾਨਯੋਗ ਹਾਈ ਕੋਰਟ ਦੇ ਹੁਕਮ ਅਤੇ ਸਿੱਖਿਆ ਵਿਭਾਗ (ਸਿੱ-5 ਸ਼ਾਖਾ) ਦੇ ਪੱਤਰ ਅਨੁਸਾਰ ਤੁਰੰਤ ਕਾਰਵਾਈ ਕਰਨ ਲਈ ਲਿਖਿਆ ਗਿਆ ਸੀ। ਇਸ ਕੇਸ ਵਿੱਚ ਦਰਜ ਸੀ.ਐਮ. ਰਾਹੀਂ ਕਈ ਪਟੀਸ਼ਨਰਾਂ ਨੂੰ ਇਹ ਲਾਭ ਪ੍ਰਾਪਤ ਨਹੀਂ ਹੋਇਆ ਹੈ। ਆਪ ਨੂੰ ਮੁੜ ਇਸ ਕੇਸ ਵਿੱਚ ਪ੍ਰਾਪਤ ਹੋਈ ਸੀ.ਐਮ. 2763 ਆਫ 2024 ਦੀ ਕਾਪੀ ਅਤੇ ਮਾਨਯੋਗ ਹਾਈ ਕੋਰਟ ਦੇ ਹੁਕਮਾਂ ਦੀ ਕਾਪੀ ਭੇਜ ਕੇ ਲਿਖਿਆ ਜਾਂਦਾ ਹੈ ਕਿ ਇਸ ਕੇਸ ਤੇ ਮਾਨਯੋਗ ਹਾਈ ਕੋਰਟ ਦੇ ਆਦੇਸ਼ਾਂ ਅਨੁਸਾਰ ਤੁਰੰਤ ਕਾਰਵਾਈ ਕਰਦੇ ਹੋਏ ਰਿਪੋਰਟ ਇਸ ਦਫਤਰ ਨੂੰ ਭੇਜੀ ਜਾਵੇ। ਦੇਰੀ/ ਅਣਗਹਿਲੀ ਦੀ ਸੂਰਤ ਵਿੱਚ ਜੇਕਰ ਵਿਭਾਗ ਨੂੰ ਕਿਸੇ ਹੋਰ ਲਿਟੀਗੇਸ਼ਨ ਦਾ ਸਾਹਮਣਾ ਕਰਨਾ ਪੈਂਦਾ ਹੈ ਤਾਂ ਉਸ ਦੀ ਨਿਰੋਲ ਜਿੰਮੇਵਾਰੀ ਆਪ ਦੀ ਨਿੱਜੀ ਹੋਵੇਗੀ। ਇਸ ਨੂੰ ਅਤਿ ਜਰੂਰੀ ਸਮਝਿਆ ਜਾਵੇ।

ਨੱਥੀ :- ਉਪਰੋਕਤ ਅਨੁਸਾਰ ਪੰਨਾ 1 ਤੋਂ 7 ਤੱਕ

ਸਹਾਇਕ ਡਾਇਰੈਕਟਰ (ਵੋਕੇਸ਼ਨਲ)

2024/28430
8/10/2024

8/10

IN THE HON'BLE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

C.M. No. 2763 of 2024

In C.O.C.P. No. 4046 of 2019

Tejwinder Singh & Ors. .....Petitioner

Versus

Sh. Anirudh Tewari & Ors.

.....Respondents

INDEX

| Sr. No. | Particulars | Date | Page | C. fee |
|---|---|---|---|---|
| | Urgent form | | | 02.65 |
| 1. | Application | 11.02.2024 | A | 02.65 |
| 2. | Counter | 11.02.2024 | 1 – 3 | Nil |
| | ANNEXURE | | | |
| 3. | A-1, Notice | 23.11.2023 | 4 – 10 | 04.55 |
| 4. | A-2, Proof | 08.01.2024 | 11 | 00.65 |
| 5. | Power of Attorney already on record | | | |
| | **Total Court fee.** | | | **10.50/-** |

(R.K. ARORA) & (JUGAM ARORA)
PH-223874 PH-222440
Enll. No. P-741/1992 PH-2633/2019
ADVOCATES
COUNSEL FOR THE PETITIONERS

PLACE: CHANDIGARH
DATED: 11.02.2024



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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

C.M. No. 2763 of 2024

IN C.M. NO.12679 OF 2022
IN C.O.CP. NO.4046 OF 2019

Tejwinder Singh & Ors. .....Petitioners

Versus

Mr. Anirudh Tiwari & Ors. .....Respondents

Application U/s 151 for permission to place on record Rejoinder of the petitioner to the short reply.

RESPECTFULLY SHOWTH:

1. That the aforementioned writ petition is pending before this Hon'ble Court for 13.02.2024.

2. That the respondents in their reply have mentioned various wrong facts which are required to be replied. Hence, the petitioners crave the indulgence of this Hon'ble Court that they may be permitted to file rejoinder to the short reply of the respondents for the kind consideration of this Hon'ble Court, in the interest of justice.

Keeping in view the aforementioned facts and circumstances, it is prayed that the application may kindly be allowed and the accompanied Rejoinder to the short reply may be permitted to be filed and the same may be allowed to be place on record, in the interest of justice.

It is, therefore, respectfully prayed that the filing of certified copies of Annexure A-1 and A-2 may be dispensed and the same may kindly be allowed to be placed on record, in the interest of justice.

Note: Affidavit is not necessary.

PLACE: CHANDIGARH
DATED: 11.02.2024

(R.K. ARORA) & JUGAM ARORA)
ADVOCATE Enl. No. P-741/92
COUNSEL FOR THE PETITIONERS

**IN THE HON'BLE PUNJAB AND HARYANA HIGH COURT AT CHANDIGARH**

**IN C.M. NO.12679 OF 2022**

**IN C.O.CP. NO.4046 OF 2019**

Tejwinder Singh & Ors. .....Petitioners

Versus

Mr. Anirudh Tiwari & Ors. .....Respondents

Counter to the reply filed by Sh. Sanjeev Sharma, Director, School Education (Secondary), Punjab.

**Respectfully Showeth:**

1. That in the short affidavit filed for & on behalf of respondent No.3, it has been mentioned that in pursuant to the letter dated 14.08.2023 addressed to all the District Education Officers (SE), Punjab, they have sent compliance reports with respect of letter dated 14.08.2023 vide which they have stated that all the Vocational Masters/Mistresses working in their districts have being ranted Grade Pay of Rs.5400/-. However, the consequential benefits with the grant of Grade Pay of Rs.5400/- w.e.f. 01.12.2011 have not been paid till date to the following petitioners etc. in COCP No.4046 of 2019 and other contempt petitions as given to other petitioners:-

**COCP No.4046 of 2019**

Inderdeep Singh – Petitioner No. 92
Rishi Raj - Petitioner No.88
Surinder Pal Singh – Petitioner No.94
Jasvir Singh – Petitioner No.102
Varinder Kumar – Petitioner No.107
Joginder Pal - Petitioner No. 18
Pankaj Madhudia – Petitioner No.29
Pawan Kumar – Petitioner No.16
Lakhwinder Singh – Petitioner No. 83



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**IN THE HON'BLE PUNJAB AND HARYANA HIGH COURT AT CHANDIGARH**

**IN C.M. NO.12679 OF 2022**

**IN C.O.CP. NO.4046 OF 2019**

Tejwinder Singh & Ors. .....Petitioners

Versus

Mr. Anirudh Tiwari & Ors. .....Respondents

Counter to the reply filed by Sh. Sanjeev Sharma, Director, School Education (Secondary), Punjab.

**Respectfully Showeth:**

1. That in the short affidavit filed for & on behalf of respondent No.3, it has been mentioned that in pursuant to the letter dated 14.08.2023 addressed to all the District Education Officers (SE), Punjab, they have sent compliance reports with respect of letter dated 14.08.2023 vide which they have stated that all the Vocational Masters/Mistresses working in their districts have being ranted Grade Pay of Rs.5400/-. However, the consequentiai benefits with the grant of Grade Pay of Rs.5400/- w.e.f. 01.12.2011 have not been paid till date to the following petitioners etc. in COCP No.4046 of 2019 and other contempt petitions as given to other petitioners:-

**COCP No.4046 of 2019**

Inderdeep Singh – Petitioner No. 92
Rishi Raj - Petitioner No.88
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Joginder Pal - Petitioner No. 18
Pankaj Madhudia – Petitioner No.29
Pawan Kumar – Petitioner No.16
Lakhwinder Singh – Petitioner No. 83



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Sohan Singh – Petitioner No.96
Jagjit Singh- Petitioner No.99
Satinder Pal Singh – Petitioner No.81
Raghuvir Singh – Petitioner No. 112
Harjinder Singh - Petitioner No.86
Amritpal Singh – Petitioner No.101
Jatinder Pal Singh – Petitioner No.82

**COCP No.1154 of 2020**

Atul Kumar - Petitioner No.32
Sukhwinder Kaur – Petitioner No. 13
Vipin Goyal - Petitioner No.55
Rupinder Singh - Petitioner No.12
Neelam Rani - Petitioner No.42
Sukwinder Kaur - Petitioner No. 13
Navdeep Kaushal - Petitioner No.9

**COCP No.549 of**

Amandeep Singh - Petitioner No.1

Hence, the affidavit filed by respondent No.3 is incorrect because necessary benefits in terms of order dated 05.09.2023 has not been paid till date to all the petitioners. It is also submitted that various contempt notices were also submitted to the respondents/concerned drawing and disbursing authorities with copy to the Director School Education (Secondary) and District Education Officer but to no effect. Copy of one such notice dated 23.11.2023 submitted to Sh. Sanjeev Kumar Mainl, Principal for compliance of order dated 05.09.2023 passed by the Hon'ble High Court by Sh.Inderdeep Singh, Petitioner No.92 In COCP No.4046 of 2019 is being annexed herewith as **Annexure A-1.**

2. That despite the aforementioned facts & circumstances, the respondent shave not complied with the Court



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directions/not released the consequential benefits in terms of decision taken by the Government as well as by the Director School Education (Secondary), Punjab and therefore, they have rendered themselves liable to be proceeded against under the Contempt of Court's Act.

3. That in respect of other petitioners, the payment has been made, which has even been intimated to the counsel for the petitioners in response to notice and proofs in respect of one of the petitioners is also attached herewith as **Annexure A-2.**

Keeping in view the aforementioned facts and circumstances, the contempt petition may kindly be allowed as prayed and respondents may be proceeded against as per law under the provisions of the Contempt of Courts Act for willful, deliberate violation of directions given in the order dated 05.09.2023 passed in CM-12679-CII-2022 in COCP NO.4046 of 2019 read and the respondents be proceeded against under the Contempt of Court's Act and they be awarded appropriate punishment.

PETITIONER No. 92

THROUGH

(R.K. ARORA) & JUGAM ARORA)
ADVOCATE
COUNSEL FOR THE PETITIONERS

*VERIFICATION*

Verified that the contents of para 1 to 3 of the counter to the reply are true and correct. No part thereof is wrong and nothing has been kept concealed therein.

PLACE: CHANDIGARH
DATE: 11.02.2024

PETITIONER No. 92



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109 CM-14957-CII-2024;
210 CM-12679-CII-2022;
210 CM-2763-CII-2024 in
COCP-4046-2019

TEJWINDER SINGH AND OTHERS *VERSUS* SH. ANIRUDH TEWARI, PRINCIPAL SECRETARY, GOVT. OF PUNJAB, DEPTT. OF FINANCE AND OTHERS

Present: Mr. Hitesh Sood, Advocate
for the applicants-petitioners (in CM-14957-CII-2024)

Mr. R.K. Arora, Advocate
for the applicants-petitioners (in CM-2763-CII-2024)

Mr. Athar Ahmad, Deputy Advocate General, Punjab
for the respondents.

****

**CM-2763-CII-2024**

Application for placing on record rejoinder on behalf of the applicants-petitioners to the short reply filed by the respondents, is **allowed**.

Rejoinder is taken on record.

**CM-14957-CII-2024 and CM-12679-CII-2022**

Prayer in the present applications moved on behalf of the applicants-petitioners, are for taking action against the respondents under the Contempt of Courts Act on account of alleged violation of the undertaking given in the order dated 23.03.2022 passed in the contempt petition, whereby it was mentioned that the persons, who are similarly placed employees would be granted the benefit of Grade Pay of Rs. 5400/-.

Notice of one of the applications bearing CM-12679-CII-2022 stood issued vide order dated 27.09.2022 and the reply dated 22.12.2023 on behalf of the respondents already stands filed.

Learned counsel for the respondents submits that the afore-stated benefits already stands released in favour of all similarly placed employees, yet in case somebody has been left out, he, on instructions, assures the Court that the needful shall be done within a period of one week from today.

In view of the aforesaid assurance / undertaking, learned counsel for the petitioners does not press the present applications, however, seeks liberty to claim revival of the present contempt petition in case of default in such undertaking.

**Ordered accordingly.**

**September 02, 2024**
*'dk kamra'*

**( HARKESH MANUJA )**
**JUDGE**