

(2024) 03 UK CK 0043

In the Uttarakhand High Court

Case No : Writ Petition (S/S) No. 391 Of 2024

Chandra Singh Chiral & Others

APPELLANT

Vs

State Of Uttarakhand & Another

RESPONDENT

Date of Decision : 13-03-2024

Acts Referred:

Salary Rules, 2016 — Rule 13(i)(ii)

Citation : (2024) 03 UK CK 0043

Hon'ble Judges : Pankaj Purohit, J

Bench : Single Bench

Advocate : Lalit Samant, Bhupendra Koranga

Final Decision : Disposed Of

Judgement

Pankaj Purohit, J

1. By means of this writ petition, petitioner has sought the indulgence of this Court for a direction to the respondents to provide benefit of selection pay scale as per Rule 13(i) (ii) of the Salary Rules, 2016.

2. Heard learned counsel for the parties.

3. It is the contention of learned counsel for the petitioners that petitioners after putting in 10 years of service were entitled to get selection grade as per the Rules and the selection grade was given to them as per the chart given in paragraph 11 of the writ petition, which is extracted below:-

S.No.

Name of Lecturer

Date of

Appointment

Date of Selection Pay scale

1.

Chandra Singh Chiral

27.07.2011

06.08.2021

2.

Deepak Kumar Tiwari

27.07.2011

06.08.2021

3.

Rajesh Kumar

13.09.2011

13.09.2021

4.

Ramesh Chandra

01.09.2011

12.09.2021

5.

Puran Singh Dhami

27.07.2011

06.08.2021

6.

Prakash Mohan

01.09.2011

14.09.2021

7.

Deepak Joshi

27.07.2011

09.08.2021

8.

Rajesh Pant

27.07.2011

10.08.2021

9.

Dipankar Raj

01.09.2011

14.09.2021

10.

Anand Kumar

27.07.2011

10.08.2021

11.

Anita Ahdikari Basera

27.07.2011

09.08.2021

12.

Sarsa

17.03.2011

30.03.2021

13.

Binni Bhatt

01.09.2011

31.10.2021

14.

Babita Ghrkhaal

17.03.2011

31.03.2021

15.

Bhuwan Chandra Pathak

06.08.2010

14.08.2020

16.

Govind Ballabh Sharma

06.08.2010

19.10.2020

4. Now grievance of the petitioners is that while giving selection pay scale/grade to the petitioners, one increment was not given to them, which they were entitled as per Rule 13(i) (ii) of the Salary Rules, 2016.

5. Learned counsel for the petitioners submits that this Court as well as Co-ordinate Bench of this Court has decided several matters, wherein it is observed that petitioners/teachers are entitled to get increment, while giving selection pay scale after completion of ten years of regular and continuous service. He further submits that petitioners moved a representation dated 15.01.2024 to the respondent no.2 praying for the said benefit, as stated above, but till date, no decision has been taken by respondent no.2 on the said representation.

6. An innocuous prayer has been made by learned counsel for the petitioner that the justice would be met if a direction is issued to the respondent no.2 to decide the aforesaid representation within a stipulated time.

7. Per contra, learned State Counsel does not dispute the fact that the petitioners are entitled to get the increment while the selection pay scale/grade is given to the petitioners after completion of ten years of regular and continuous service. Furthermore, he has no objection if such a direction is issued by this Court to decide the representation of the petitioner.

8. Having heard the learned counsel for the parties and from perusal of the writ petition, the writ petition is disposed-off finally with a direction to the respondent no.2 to decide the representation of the petitioners dated 15.01.2024, annexure-10 to the writ petition, by a reasoned and speaking order, within a period of six weeks from the date of production of certified copy of this order. No order as to costs.