
(2011) 12 SHI CK 0335
In the High Court Of Himachal Pradesh
Case No : CWP No. 10793 of 2011-J

Jagbir Singh

APPELLANT

Vs

State of Himachal Pradesh and Others

RESPONDENT

Date of Decision : 13-12-2011

Acts Referred:

Citation : (2011) 12 SHI CK 0335

Hon'ble Judges : Kurian Joseph, J;Dev Darshan Sood, J

Bench : Division Bench

Judgement

Justice Kurian Joseph, C.J.—The writ petition is filed mainly with the following prayers:-

1. Issue of writ of mandamus or other writ, order or direction directing the respondents to pay the salary for the vacation period to the petitioner for which the persons appointed on contract basis have been held entitled as per judgment dated 01-09-2008 passed in CWP No 415 of 2000 titled as "Baldev Singh Vs State of Himachal Pradesh and judgment dated 16.06.2011 passed in CWP No. 5006 of 2009 titled Mrs. Ritu Sharma v. State of Himachal Pradesh and others in the pay scale of the post, granted and revised at relevant point of time.

2. The first issue pertaining to vacation salary to contract teachers is squarely covered by the judgment of this Court rendered in Baldev Singh and others v. State of H.P. and others, CWP No. 415 of 2000, decided on 1st September, 2008 and the judgment has become final. There will be a direction to the respondents to release eligible vacation salary, during the entire service period, to the petitioner in case the same has not been granted so far, within a period of two months from the date of production of a copy of this judgment along with copy of the writ petition and a copy of the judgment, referred to above by the petitioner. If the amounts are not disbursed, as above, the petitioner will be entitled to interest @ 10% and the officers responsible for the delay shall be personally liable for the same.

3. As far as the case of the petitioner for the grant of revised pay scale is concerned, the same be considered within a further period of two months after the decision rendered by this Court in LPA No. 5 of 2010.

4. The writ petition is disposed of, so also the pending application(s), if any.