

(2012) 07 SHI CK 0120
In the High Court Of Himachal Pradesh
Case No : CWP No. 6027 of 2012-C.

Jagdish Chand and Others

APPELLANT

Vs

State of H.P. and others

RESPONDENT

Date of Decision : 30-07-2012

Acts Referred:

Citation : (2012) 07 SHI CK 0120

Hon'ble Judges : Kurian Joseph, J; Dharam Chand Chaudhary, J

Bench : Division Bench

Advocate : Onkar Jairath, for the Appellant; R.K. Bawa, Advocate General, with Mr. Ankush Dass Sood, Addl. A.G. for the Respondents, for the Respondent

Judgement

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

(i) That a writ in the nature of mandamus and any other writ, order or direction may kindly be issued directing the respondents to extend the benefit of merger of 50% dearness allowance with basic pay as per memorandum dated 10.6.2005 to the petitioners by further directing the respondents to pay the arrears to the petitioners in view of the judgment delivered in case titled as Nek Ram vs. State of H.P. in CWP (T) No. 14232/2008.

(ii) That the respondents may very kindly be directed to grant revised pay scale of Rs. 6400-10640 to the lecturers, Rs. 5480-8925 to the TGTs and C&V teachers w.e.f. of their initial appointments and further revision of pay scale of Rs. 10300-34800 + Grade Pay of Rs. 4200 to lecturers (school cadre), Rs. 10300-34800 + Grade Pay of Rs. 3600 to TGTs and Rs. 10300-34800 + Grade Pay Rs. 3200/- to C&V teachers and all other benefits and the arrear accrued thereunder be paid with interest @ 9% p.a. in the interest of justice.

(iii) That the respondents may very kindly be directed to pay the revised the revised pay scale and other benefits from the date of their initial appointment to the petitioners as is being paid to the similarly situated teachers, with all consequential benefits.

Learned counsel appearing for the petitioners submits that the present lis is covered by the judgment rendered in CWP(T) No. 14232 of 2008, titled as Nek Ram and others versus State of Himachal Pradesh and others, decided on 17.11.2009.

2. Accordingly, the present petition is disposed of with the direction to the respondents to consider the case of the petitioners in view of the principles laid down by this Court in the judgment dated 17.11.2009, as noticed above, within a period of two months from the date of production of a copy of this judgment by the petitioner concerned. So far as the case of the petitioners for 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. 105 of 2010. The writ petition is disposed of, so also the pending application(s), if any.