
(2012) 01 SHI CK 0025
In the High Court Of Himachal Pradesh
Case No : C.W.P No. 11496 of 2011

Manju Sood

APPELLANT

Vs

State of H.P. and Others

RESPONDENT

Date of Decision : 12-01-2012

Acts Referred:

Citation : (2012) 01 SHI CK 0025

Hon'ble Judges : Kurian Joseph, C.J;Rajiv Sharma, J

Bench : Division Bench

Judgement

Justice Rajiv Sharma, J.—The writ petition has been filed with the following prayers:

(i) Directing the respondents to grant the pay scale of Rs. 1640-2925/- instead of Rs. 1500-2700/-, as the scale of the petitioner was reduced to Rs. 1500-2700/- at the time of her regularization w.e.f. 1.4.1994, whereas the petitioner prior to her regularization had been getting the pay scale of Rs. 1640-2925/-, which ought to have been continued after regularization of her service. The petitioner is entitled for the said relief in view of law laid down by this Hon''ble Court in C.W.P. NO. 4145/2011, titled as Leela Dhar Sharma Vs. State of H.P., decided on 16.11.2011 by the Hon''ble Division Bench, in which judgment of Ld. Single Judge given in CWP(T) No. 5759/2008, titled as Subhash Chand Vs. State of H.P. & others, has been relied upon/affirmed from the due date till the date of actual payment with interest at the rate of 18% per annum.

ii. Directing the respondents to grant all consequential benefits in favour of the petitioner from the due date till the date of actual payment on account of services rendered by her on tenure basis as Shastri, in view of law laid down by this Hon''ble Court in Ravi Kumar''s case, wherein this Hon''ble Court has issued direction to count the service rendered on tenure basis, followed by regularization for the purpose of pension and pensionary benefits as is admissible in the case of ad hoc appointees in Education Department.

2. Case of the petitioner, in a nut-shell, is that she is entitled to the pay scale of Rs. 1640-2925/- instead of Rs. 1500-2700/-, in view of the judgment rendered by this Court in C.W.P. No. 4145/2011, titled as Leela Dhar Sharma Vs. State of H.P., decided on 16.11.2011 and she is also entitled to get the benefit of tenure service followed by regularization as per the judgment of this Court dated 16.12.2010 rendered in CWP No. 4550 of 2010 titled as Ravi Kumar vs. State of H.P. & another and other connected matters.

3. Accordingly, the petition is disposed of with a direction to the respondents to consider the case of the petitioner strictly in view of the principles laid down in the judgments cited hereinabove within a period of eight weeks from the date of production of a certified copy of this judgment by the petitioner. The pending application(s), if any, also stands disposed of.