

(2012) 12 SHI CK 0068
In the High Court Of Himachal Pradesh
Case No : CWP No. 10132 of 2012-D

Mukesh Kumar and Others	Vs	APPELLANT
State of Himachal Pradesh and Others		RESPONDENT

Date of Decision : 01-12-2012

Acts Referred:

Citation : (2012) 12 SHI CK 0068

Hon'ble Judges : Kurian Joseph, C.J; Sanjay Karol, J

Bench : Division Bench

Advocate : A.K. Rattan, for the Appellant; R.K. Bawa, Advocate General with Mr. Ankush Dass Sood, Addl. AG and Mr. J.K. Verma, DAG, 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 or any other writ, order or direction may kindly be issued directing the respondents to extent the benefit of merger of 50% Dearness Allowance with basic pay as per Memorandum dated 10.06.2005 to the petitioners by further directing the respondents to pay arrears to the petitioners in view of judgment passed in CWP(T) No. 14232/2008 titled as Nek Ram Versus State of H.P.
- (ii) That the respondents be directed to grant the benefit of Notification dated 7.4.2007 and provide the same emoluments w.e.f. 1.4.2007 to the petitioners as are being provided to the contract teachers working the Governments Schools in the State of Himachal Pradesh.
- (iii) That the respondents be directed to pay the revised pay scale to the petitioners and other benefits from the date of their initial appointment as is being paid to the similar situated teachers with all consequential benefits.
- (iv) That the respondents may kindly be directed to pay the revised pay scale to the petitioner as per their designation such as TGT (Arts/Non Medical/Medical), C & V teachers/Shastris etc, with effect from their initial appointment and further

revision of pay scale as revised w.e.f. 1.1.2006 as per the designation of the petitioners alongwith interest at the rate of 9% per annum.

According to the petitioners, the issue is covered in their favour by the judgment of this Court rendered in CWP No. 4954 of 2012, titled as Madan Lal and others Versus State of H.P. & others, decided on 7th November, 2012. If that be so, similar treatment shall also be extended to the petitioners herein also, as extended to the petitioners in the above referred decision, in case the petitioners are also similarly situated, within a period of three months from the date of production of a copy of this judgment along with a copy of the writ petition by the petitioner concerned before the competent authority.

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