
(2011) 11 SHI CK 0193
In the High Court Of Himachal Pradesh
Case No : CWP No. 8766 of 2011-G

Parma Nand Gautam

APPELLANT

Vs

State of H.P. and Others

RESPONDENT

Date of Decision : 08-11-2011

Acts Referred:

Citation : (2011) 11 SHI CK 0193

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

Bench : Division Bench

Judgement

Justice Kurian Joseph, C.J.—The Writ Petition is filed mainly with the following prayers:

i. That the Respondents may very kindly be directed to grant revised pay scale of Rs. 5000-8100/- to the Petitioner w.e.f. 14/11/2002 to 12/01/2010 and arrears accrued there under be paid with interest @ 9% per annum, in the interest of justice.

ii. That the Respondents may very kindly be directed to pay the revised pay scale and other benefits from the date of initial appointment to the Petitioner as is being aid to the similarly situated teachers, with all consequential benefits.

iii. That the Petitioner may also be kindly held entitled for the benefit of merger of 50% D.A. to the basic pay + 11% D.A. w.e.f. 30/04/2004 in the revised pay-scale and further revision thereof from time to time till the regularization of his services on 12/01/2010 with all consequential benefits and arrears accrued on this count be paid with interest.

iv. That the salary as ordered to be fixed vide Annexure P-4 dated 29/09/2005 and Annexure P-5 dated 08/08/2006 may very kindly be declared void ab initio and the same may kindly be quashed and set-aside, in the interest of justice.

2. Learned counsel appearing vice Mr. Ramakant Sharma, Advocate, for the petitioner submits that the present lis is covered by the judgment rendered in

CWP(T) No. 14232 of 2008, titled as Nek Ram and others v. State of Himachal Pradesh and others, decided on 17.11.2009.

3. 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 certified copy of this judgment by the petitioner. So far as the case of the petitioner for grant of regular/revised pay scale is concerned, the same be considered within a further period of two months after the decision rendered by this Court on LPA No. 105 of 2011.

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