
(2020) 09 SHI CK 0057
In the High Court Of Himachal Pradesh
Case No : COPCT No. 386 Of 2020

Puran Singh

APPELLANT

Vs

Manmohan Sharma

RESPONDENT

Date of Decision : 04-09-2020

Acts Referred:

Citation : (2020) 09 SHI CK 0057

Hon'ble Judges : Tarlok Singh Chauhan, J

Bench : Single Bench

Advocate : Narender Sharma, Ashok Sharma, Vinod Thakur, Bhupinder Thakur, Svaneel Jaswal

Final Decision : Disposed Of

Judgement

Tarlok Singh Chauhan, J

1. The learned Tribunal had disposed of the Original Application No. 4705 of 2017, titled Puran Singh and others vs. State of Himachal Pradesh and others vide order dated 21.09.2017 with direction to the respondents to consider and decide the case of the petitioner in light of the judgments rendered by the Hon'ble High Court in CWP(T) No. 6037 of 2008, H.P. Rajkiya Prathmik Anubandh Adhyapak Sangh versus State of H.P. and another as upheld vide judgment dated 13th December, 2012 in LPA No. 105 of 2010, titled The State of Himachal Pradesh and others vs. Rakesh Chand and others and connected matters, and on finding the petitioner to be similarly situate as above, benefit of the said judgments, if the same have attained finality and implemented, be extended to the petitioner also.

2. The respondents have now considered and decided the case of the petitioner vide office order dated 27.08.2020, which reads as under:

"Whereas the petitioner in the above titled case was appointed as Language Teacher not OT. on contract basis in the pay scale of Rs.1500-2640 and continued to serve as such till dated 31.12.2004 with frictional breaks, every

year. The services of the petitioner were regularised w.e.f. 01.01.2005 in the year 2006.

The contempt petitioner had filed the above mentioned OA in the Hon'ble Administrative Tribunal with the prayer that the revised pay scale of Rs.5000-8100 may be awarded to him w.e.f. 01.01.1996 as per the judgment in CWP(T) No. 6037 of 2008 and LPA No. 105 of 2010.

And whereas the Hon'ble High Court on dated 13.12.2012 disposed of LPA No. 105 of 2010 alongwith other connected matters, wherein the Hon'ble High Court in its judgment held that the law has been declared by the court to the effect that the contract JBT teachers would be entitled to the initial of the pay scale attached to the post of JBT appointed on regular basis and revised from time to time.

Hence, in the light of the facts stated above, it is admitted that the present petitioner is similar situated to that of LPA No. 105/2010 and is entitled for the revised pay scale of Rs.5000-8100 w.e.f. the date when the same was awarded in favour of the similar situated contract teachers."

3. Since the directions of the Tribunal stands complied with, no further orders are required to be passed. Actual benefits in terms thereof be released in favour of the petitioner within a period of eight weeks from today.

4. In case the petitioner still aggrieved, he is at liberty to approach this Court by filing a substantive petition.

5. The petition is disposed of in the aforesaid terms.