

(2012) 12 SHI CK 0070
In the High Court Of Himachal Pradesh
Case No : CWP No. 8709 of 2012-A

Savita and Others

APPELLANT

Vs

The State of H.P. and Others

RESPONDENT

Date of Decision : 01-12-2012

Acts Referred:

Citation : (2012) 12 SHI CK 0070

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

Bench : Division Bench

Advocate : Devender K. Sharma, for the Appellant; R.K. Bawa, Advocate General with Mr. J.K. Verma, D.A.G., for the Respondent

Judgement

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

- a) That a writ of mandamus may very kindly be issued thereby directing the respondents to extend the benefit of due and admissible merger of 50% dearness allowance with basic pay as per Memorandum dated 10.6.2005 to the petitioner No. 4 and 5 and the respondents be further directed to pay the arrears with all consequential benefits to the petitioner No. 3, 4 and 5 namely Praveen Kumar Sharma, Sanjeev Kumar and Janak Raj with interest till 2008 in view of the judgment titled as Nek Ram and others versus State of HP and others CWP(T) No. 14232/2008.
- b) That the respondent may very kindly be directed by issuing appropriate writ order or direction to grant revised pay scale of Rs. 6400-10300/- to the petitioners since their initial appointment till regularization and further be directed to pay arrear of revised pay scale with all consequential benefits with interest.

As far as prayer (a) is concerned, according to the petitioners, the issue is covered in their favour by the judgment of this Court rendered in CWP (T) No. 14232 of 2008, titled as Nek Ram & others Versus State of H.P. & others, decided on 17.11.2009. If that be so, similar treatment shall also be extended to the

petitioners herein also, as extended to the petitioner 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 and copy of judgment referred to above, by the petitioner concerned before the second respondent.

2. So far as the issue regarding grant of regular/revised pay scale to the petitioners is concerned, the same be considered after the decision rendered by this Court in LPA No. 105 of 2010 within another two months. The writ petition is disposed of, so also the pending application(s), if any.