

(2012) 11 SHI CK 0033
In the High Court Of Himachal Pradesh
Case No : CWP No. 8248 of 2012

Smt. Champa Kumari

APPELLANT

Vs

The State of H.P.

RESPONDENT

Date of Decision : 12-11-2012

Acts Referred:

Citation : (2012) 11 SHI CK 0033

Hon'ble Judges : Kurian Joseph, C.J.; Dharam Chand Chaudhary, J

Bench : Division Bench

Advocate : Onkar Jairath, 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:-

i) That a writ in the nature of "Mandamus" and any other writ, order or direction may kindly be issued directing the Respondents to extend the benefit of merger of 50% D.A. to the petitioner in her basic pay + 11% D.A. w.e.f. 30.4.2004 as per memorandum dated 10.6.2005 with further revision thereof from time to time to the petitioner and by further directing the Respondents to pay the arrears to the Petitioner in view of the judgment delivered in case titled as Nek Ram & others Versus State of H.P. in CWP (T) No. 14232/2008.

"ii) That the Respondent may kindly be directed to grant revised pay scale of Rs. 5000-8100 to the petitioners w.e.f. their appointment i.e. December 2000 to December 2003 and from December 2003 to June 2005 the pay scale of Rs. 6400-10640 revised from time to time and further directed to pay the arrears accrued thereunder in one installment with interest @ 9% p.a. in the interest of justice.

According to the petitioner, the issue is covered in her 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 petitioner herein also, as extended to the

petitioners in the above referred decision, in case the petitioner is 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 before the second respondent.

2. So far as the issue regarding grant of regular/revised pay scale to the petitioner 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.