

(2010) 10 SHI CK 0265
In the High Court Of Himachal Pradesh
Case No : C.W.P. (T) No. 5948 of 2008

Susheel Kumar Verma

APPELLANT

Vs

State of H.P. and Others

RESPONDENT

Date of Decision : 19-10-2010

Acts Referred:

Citation : (2010) 10 SHI CK 0265

Hon'ble Judges : Kurian Joseph, C.J;Kuldip Singh, J

Bench : Division Bench

Judgement

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

i) Directing the respondents to grant revised pay-scale of Rs. 5480-8925 to the applicant w.e.f. December, 1996 with all consequential benefits.

ii) Directing the respondents to pay the difference between the old pay-scale paid to the applicant and new pay scale to be paid to the applicant with interest @ 18% per annum from the due date.

2. In the reply, it is stated as follows:

3. That in reply to the contest of this para it is submitted that the petitioner has sought relief that to grant revised pay scale (1.1.1996) of Rs. 5480-8925 to the petitioner w.e.f. December, 1996 with all consequential benefits. In this respect it is submitted that in the revised pay scale (1.1.1996) there was no provision to grant revised pay scales to the contractual teachers, the revised pay scale were implemented only in respect of regular employees. Later on the Government vide its letter No. Fin-F-(A)-(11)-6-06 dated 9th May, 2006 has allowed the revised pay scale (Initial of Pay Scale +Dearness Pay) to the teachers appointed on contract basis. It is further submitted that there is a provision in Government letter No. Fin-F-(A)-(11)-6-06 dated 8th August, 2006 that the contractual appointees appointed before 9.5.2006 will be asked to exercise an option stating clearly as to whether they would like to be governed by the terms and conditions

of their contract as already executed and in operation before 9.5.2006. In case, they opt to be governed by the order dated 9.5.2006, their emoluments will be determined strictly as per emoluments shown in letter dated 9.5.2006. However, employees opting to be governed by the pattern prior to 9.5.2006 individually determined for them under the contract, they shall continue to get emoluments as admissible to them prior to 9.5.2006 and the order dated 9.5.2006 shall not be operative on them. Therefore, keeping in view the above, all the contract employees have been afforded an opportunity to opt either to continue to draw the contractual amount admissible as per terms and conditions already settled or they may opt to come over to the new contractual amount determined by the Government vide order dated 9.5.2006.

3. In case, the petitioner has still any grievance left, he may approach the second respondent in which case, the matter will be duly considered by the second respondent. The petition stands disposed of so also the pending applications, if any.