

(2011) 09 SHI CK 0203
In the High Court Of Himachal Pradesh
Case No : CWP No. 6997 of 2011

Upasana Sharma

APPELLANT

Vs

State of H.P. and Others

RESPONDENT

Date of Decision : 01-09-2011

Acts Referred:

Citation : (2011) 09 SHI CK 0203

Hon'ble Judges : Kurian Joseph, C.J;Rajiv Sharma, J

Bench : Division Bench

Judgement

Kurian Joseph, C.J.—The Petitioner is a para teacher. She is aggrieved since she is not paid the vacation salary and other benefits as are paid to the contract teachers. In the judgment dated 21.10.2010 in CWP No. 2880 of 2010 titled as Dhananjay Saini v. State of H.P. and Ors. and connected cases, this Court has held that para teachers are entitled to all the emoluments as are paid to contract teachers, because as per the Government policy, they are to be treated similarly for all purposes. Therefore, this writ petition is disposed of directing the Respondents to pay the eligible vacation salary, during the entire service period to the Petitioner in case the same has not been granted so far in view of the judgment of this Court in Baldev Singh v. State of H.P. and Ors., which has become final, within a period of four months from the date of production of a copy of this judgment along with a copy of the writ petition and copy of the judgment, referred to above. In order to enable the Respondents to work out the relief, as above, the impugned order is set aside since the same is passed without taking note of the judgment, referred to above. If the amounts are not disbursed as above, the Petitioner will be entitled to interest @ 10% and the officers responsible for the delay shall be personally liable for the same.

2. The writ petition is disposed of, so also the pending applications, if any.