

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.24446 of 2015

Date of Decision: 20.11.2015

Balbir Singh and others

...Petitioners

Versus

The State of Punjab and others

... Respondents

CORAM:- HON'BLE MR. JUSTICE RAJIV NARAIN RAINA

Present: Mr. Tarsem Lal, Advocate,
for the petitioners.

1. To be referred to the Reporters or not?
2. Whether the judgment should be reported in the Digest?

RAJIV NARAIN RAINA, J.

1. The prayer in this petition brought by seven retired teachers in the Education Department, Punjab is for correction of the last pay certificate on the ground that they had performed duties and responsibilities of the higher post of Headmaster/Principal (School Cadre) Group-A on current duty charge for periods mentioned in Annexure P-1 at page 38 of the paper-book which is the statement of service record of the petitioners.

2. Indisputably, the petitioners did not hold the substantive promotional post of Headmaster/Principal (School Cadre) Group-A Service and, therefore, they have no actionable right to the higher pay scale of the higher post except possibly a right based on rule of *quantum meruit* for payment of difference of salary for discharging the duties and responsibilities of the higher post on CDC given in administrative exigencies. Therefore, the prayer that the last pay certificate be corrected to

accommodate the pay scales of the higher post without earning is plainly unwarranted and cannot be granted to increase their last pay drawn on a permanent basis and resultantly to receive higher pension and pensionary benefits in favour of the petitioners.

3. For the foregoing reason, this Court finds no plausible ground to interfere in this matter and would dismiss the petition.

(RAJIV NARAIN RAINA)
JUDGE

20.11.2015
manju