

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CWP no. 994 of 2013(O&M)
Date of Decision : 15.12.2015

Sanjay Bhardwaj and others

....Petitioner

Versus

State of Haryana and others

...Respondents

CORAM : HON'BLE MR.JUSTICE MAHESH GROVER

- 1)Whether reporters of local newspapers may be allowed to see the judgment?
- 2) To be referred to the Reporters or not?
- 3) Whether the judgment should be reported in the Digest?

Present : Mr.Raje Ram Kaushik, Advocate for the petitioners

Mr. Hitesh Pandit, Addl. AG, Haryana

MAHESH GROVER, J.

The petitioners were appointed as JBT Teachers prior to 2006 whereas private respondents gained entry into the service after 2006. The petitioners refer to the material on record regarding fixation of pay to contend that the juniors who were appointed subsequent to the year 2006 as JBT Teachers are getting more pay than the petitioners. He contends that the matter has been settled by this Court in CWP no. 11254 of 2010 decided on 15.5.2013 titled as **Neelam Rani vs. State of Haryana and others** where this Court directed as follows:-

“It could be no consolation for petitioner to be informed

that the Government has proposed to take same action for adjusting all the additional pay which were being given to the juniors some time in future. The petitioner is entitled to be stepped up in pay, an amount which the juniors were drawing so that her salary does not fall short of the salary which is earned by her juniors. The amount to be paid in excess over what is being received by the petitioner shall be calculated from 1.7.2009 to 30.6.2013. The exercise shall be undertaken within a period of 8 weeks from the date of receipt of copy of this order and amount shall be paid to the petitioner with interest of 6%.”

The aforesaid observations were made after noticing that there is indeed an anomaly in the pay structure. Consequently, I would deem it appropriate to dispose of the instant writ petition in terms of the observations of made in Neelam Rani's case (supra), particularly when the written statement makes no departure from the grievance of the petitioner and is rather an admission on facts. The increased pay to the juniors is attributed to the benefit of personal pay to them which has been specifically negated by this Court in Neelam Rani's case(supra). Hence, instant writ petition is disposed of in the same terms as in CWP no.11254 of 2010 decided on 15.5.2013.

December 15, 2015
rekha

(MAHESH GROVER)
JUDGE