

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CWP No.13721 of 1997
Date of decision: 10.05.2016

Smt. Nirmala Devi

...Petitioner

versus

The State of Haryana and others

...Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: None for the petitioner.

Mr. M.S. Sidhu, Addl. A.G., Haryana.

RITU BAHRI, J.

The petitioner is seeking direction to the respondents to grant her the pay scale of Rs.1400-2600 being qualified as Prabhakar with J.B.T.

In the petition, reference has been made to a judgment passed by this Court in Shri Rattan Singh and others Vs. State of Haryana and others, CWP No.1718 of 1993 (Annexure P-3), wherein it has been held that the grade of J.B.T. with Prabhakar or Giani qualifications has been equated with language teachers having qualifications of O.T. with Prabhakar or Giani prior to the revision of pay scales. Once the posts have been equated, then similarly qualified persons discharging similar functions/duties, cannot be treated differently by granting different pay scales. Ultimately, the writ petition was allowed and the petitioners, who were J.B.T. with Prabhakar or Giani were held entitled to the pay scale of Rs.1400-2600.

A similar question came up for consideration before a Division

Bench of this Court in CWP No.12629 of 1997, which was disposed of on

27.11.1997 in view of the decision given by this Court in CWP No.4964 of 1997, titled as **Savitri Devi etc. Vs. State of Haryana etc.,** (decided on 24.09.1997).

Keeping in view that the petitioner had acquired higher qualification before joining as J.B.T. teacher prior to March, 1990, this petition is disposed of by giving a direction to the respondents to consider the claim of the petitioner in view of the decision dated 27.11.1997 given by this Court in CWP No.12629 of 1997 and pass appropriate orders in accordance with law.

10.05.2016
ajp

(RITU BAHRI)
JUDGE