

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No. 24033 of 2016 (O/M)
Date of decision : 9.12.2016

Shimla Kumari

..... Petitioner (s)

Versus

State of Haryana and others

..... Respondent (s)

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. Sunil K. Nehra, Advocate, for the petitioner.

1. Whether the Reporters of local newspaper may be allowed to see the judgment ?
2. To be referred to the Reporter or not.
3. Whether the judgment should be reported in the digest ?

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KULDIP SINGH J. (ORAL)

The petitioner joined the respondent-department as Staff Nurse in the year 1975. She was promoted as a Nursing Sister in the year 1982 and retired from service as such in the year 2012. The claim of the petitioner is that her pay should be equal to her junior, namely, Nirmal Kumari, who joined as a Staff Nurse on 24.6.1977, promoted as Nursing Sister in December, 1982, and was promoted as a Matron in the year 1988.

The perusal of the pleadings shows that Nirmal Kumari was promoted as Matron on account of being a reserved category candidate. The petitioner was never promoted as Matron. She is entitled to equal pay only when she catch up with Nirmal Kumari after her promotion. Once, it is found that Nirmal Kumari was holding a higher promotional post and petitioner could not be promoted before her retirement, therefore, the petitioner is not entitled to pay equal to her junior, who was given accelerated promotion on account of being belonging to reserved category.

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There is no illegality or infirmity in the impugned order. Hence, the present writ petition is dismissed.

(KULDIP SINGH)
JUDGE

9.12.2016
sjks

Whether speaking / reasoned : Yes

Whether Reportable : No