

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

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CWP No.9148 of 2014 (O&M)

Date of Decision: September 18, 2017

Monika Rani

....Petitioner

vs.

State of Punjab and another

....Respondents

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present: Mr. Vivek Sharma, Advocate
for the petitioner.

Mr. Avinit Avasthi, AAG, Punjab.

TEJINDER SINGH DHINDSA, J. (Oral)

Pleadings on record would indicate that the petitioner is serving as a Lecturer (Maths) under the Department of Education, State of Punjab.

Prayer in the instant petition is for pay fixation *at par* with her juniors and w.e.f. 01.01.1997.

During the course of arguments, it has gone uncontroverted that an exercise for finalization of seniority in the Master Cadre, is still under way.

Learned State counsel has apprised the Court that a tentative seniority list of the Master Cadre, has been issued and upon which, objections have been invited and after following due procedure, the final seniority list would be issued in the near future.

Counsel representing the petitioner does not controvert

such factual position.

In light of the above, the instant petition is disposed of with a direction to respondent No.2 i.e. the Director, Public Instructions (School Education), Punjab to examine the claim of the petitioner after seniority in the Master Cadre is finalized.

At this stage, Mr. Vivek Sharma, learned counsel for the petitioner, has very fairly brought to the notice of the Court that similar issue has already been dealt with by this Court in the case of identically situated employees and whereunder, while accepting the prayer for pay fixation *at par* with the junior, actual arrears have been denied.

Accordingly, it is observed that in the eventuality of the claim of the petitioner herein for pay fixation being accepted consequent upon finalization of seniority in the Master Cadre, she shall not be granted any actual arrears of salary.

Disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

18.09.2017

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Whether speaking/reasoned : **Yes/No**
Whether reportable : **Yes/No**