

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP No.13240 of 2016

Date of Decision: 26.10.2018

Medical Teachers Association Mewat

.....Petitioners

Vs.

State of Haryana and others

.....Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present:- Mr.Sandeep K.Sharma, Advocate, for the petitioner.

Mr.Kiran Pal Singh, AAG, Haryana.

RITU BAHRI, J. (ORAL)

Petitioner-Association is seeking direction to the respondents to pay Conveyance Allowance, Learning Resource Allowance and Academic Allowance to the teaching faculty of the college as mentioned in the prayer clause as admissible to the faculty of Pt. B.D.Sharma, PGIMS, Rohtak, Haryana and other Govt. Medical Colleges in the State of Haryana and also as per terms and conditions stipulated in the advertisements for filling up the vacancies and also appointment letters issued to the Teaching Faculty Members, along with arrears from the date of their appointment.

Learned counsel for the petitioner submits that as per terms and conditions as mentioned in the advertisement Annexure P-5, members of petitioner-Association are entitled for allowance at par with the faculty members who are working in Mewat Area. He further submits that Mewat Area Allowances have been granted to the members of petitioner/Association from the date of their appointment but Academic

Allowance, Conveyance Allowance and Learning Resources Allowances have not been given at par with the other official. Learned counsel for the petitioner further submits that during the pendency of the present writ petition, the remaining allowances have also been granted vide letter dated 18.10.2018 in which it has been mentioned that Academic Allowance @ 2500/- per month, Conveyance Allowance @ Rs.1650/- per month and Learning Resources Allowance Rs.20,000/- per year have been granted to the faculty members working in this institution. The grievance of the petitioner/Association is that these allowances have been given to the faculty members with prospective effect whereas, it should have been given from the date of appointment as per advertisement Annexures P-5, P-6 Colly., P-7.

Keeping in view the advertisement Annexures P-5, P-6 Colly., P-7, these allowances had to be given from the date of appointment as it is reflected in the conditions of the advertisement in paragraph-7 in Annexure P-5 itself and similar condition is mentioned in Annexures P-6 and P-7.

In view of the above, present writ petition is disposed of by giving direction to the respondents/Department to give benefit of above allowances as given to the petitioner/Association vide order dated 17.08.2017 with retrospective effect i.e. from the date of their initial appointment.

(RITU BAHRI)
JUDGE

26.10.2018

anil

Whether speaking/reasoned Yes/No

Whether reportable Yes/No

