

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP no.15961 of2015 (O&M)

Date of Decision : 20.02.2018

The Commissioner, Navodaya Vidyalaya Samiti and others

....Petitioner(s)

Versus

Central Administrative Tribunal, Chandigarh and others

...Respondent(s)

CORAM : HON'BLE MR.JUSTICE MAHESH GROVER
HON'BLE MR JUSTICE RAJBIR SEHRAWAT

Present : Mr.D.R.Sharma, Advocate for the petitioner(s)

Mr. J.S.Saneta, Advocate for respondent no.2.

Mr. R.K.Malik, Sr. Advocate with
Mr. Kuldeep Sheoran, Advocate for newly added respondents

MAHESH GROVER, J.(ORAL)

The grievance of the petitioners in the present writ petition is that those TGT teachers appointed prior to 1.1.2006 were admitted to a lesser pay scale than those appointed subsequent to 1.1.2006. Citing discrimination they have come to this Court seeking writ in the nature of certiorari for quashing the order dated 21.10.2014 passed by the Central Administrative Tribunal and also for quashing order dated 13.7.2016 vide which the review petition had also been dismissed.

The prayer has been opposed by the learned counsel for the respondents who have placed reliance on several precedents of High Court of Delhi answering a similar controversy which judgments have been upheld by the Hon'ble Supreme Court while dismissing the special leave petition.

It is clear that the grievance of the petitioners is qua the interpretation placed by the respondents on the admissibility of the minimum pay of Rs. 17,140/- per month in terms of the pay fixation rules which would be payable to those teachers appointed after 1.1.2006 whereas those appointed prior were admissible to a pay fixed as per recommendations of the 6th Pay Commission by multiplying their basic pay as on 1.1.2006 with 1.86 + Grade Pay which came to less than Rs. 17140/- per month. This challenge was negated in various judgments of Delhi High Court such as W.P.(C) 8922/2017 titled as '**Adhyapak Shakti Manch, Delhi vs. Govt. of NCT, Delhi and another**' decided on 17.1.2018, W.P.(C) 2634/2017 titled as '**Govt. of NCT of Delhi and anr. vs. Somvir Rana and others**'. Reliance has also been placed on decision of Hon'ble Supreme Court rendered in case titled as '**Govt. of NCT of Delhi and another vs. Somvir Rana (TGT ENG) and others**' decided on 1.9.2017.

Since the matter has already found approval with the aforesaid judgments being upheld by the Hon'ble Supreme Court, we would dispose of the instant petition in similar terms.

(Mahesh Grover)
Judge

(Rajbir Sehrawat)
Judge

20.02.2018

rekha

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No