

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No. 4675 of 2018

Date of Decision: 26.04.2018

Dr. Monika

...Petitioner

Vs.

State of Haryana and others

...Respondents

CORAM:- HON'BLE MR.JUSTICE RAJIV NARAIN RAINA

Present: Mr. Amit Choudhary, Advocate
for the petitioner.

RAJIV NARAIN RAINA, J. (Oral)

1. The petitioner has approached this Court claiming financial benefits on par with Dr. Seema Sharma, Associate Professor who vide information supplied under the RTI is enjoying the financial benefit w.e.f. 18.07.2016. Both, the petitioner and Dr. Seema Sharma have been working as Associate Professors without financial benefit of the higher post from 01.09.2014. The pay-scale of the petitioner is Rs. 15,600 -39,100/- + GP 6400 whereas Dr. Seema Sharma is drawing the salary in the pay-scale of 37,400-67,000 + GP 8700. This unequal treatment has no reasonable classification within the same homogenous group of Associate Professors.

2. The petitioner has submitted his grievance in writing to respondent No.2-Director, Maharaja Agarsain Institute of Medical & Research Education, Agroha, Hisar, Haryana. About seven representations have been filed vide Annex. P-5 & P-6. There is no

response on the request for parity of treatment.

3. The claim of the petitioner, based on the principle of 'equal pay for equal work' appears to be a genuine heartburn which requires remedial action and is thus directed to be considered by the competent authority and the decision taken thereon within a fortnight from the date of receiving of the certified copy of the order. Short but sufficient time is given since the dispute does not appear to be complex and, on the other hand, it can take only a few minutes to understand the case and then to pass an order. In case the claim is found justified, the same will allowed and the arrears of difference of pay be calculated and disbursed from the date when Dr. Seema Sharma was in receipt of higher salary. It is only if the claim is to be declined, a speaking order will be passed after hearing the petitioner deciding the points raised by her. For this the competent authority will apply the law in Smt. P. Grover Vs. State of Haryana and another, 1983 SCR (3) 654 which requires public employers to pay equal pay for the same work, equal in degrees of duties and responsibilities.

4. With the above observations and directions, the petition is disposed of.

(RAJIV NARAIN RAINA)
JUDGE

26.04.2018

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Whether speaking/reasoned : Yes
Whether reportable : No