

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

**C.W.P 3419 of 2019
Date of decision : 07.02.2019**

Narender Kumar and anr.Petitioner
versus

State of Haryana and another ...Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Ms.Alka Chatrath, Advocate
for the petitioners.

RITU BAHRI, J. (Oral)

The petitioners are seeking issuance of direction to the respondents to grant them same pay scale consequent upon their merger/transfer in School Education Cadre in pursuance of the circulars/orders dated 24.02.2009 (P-5) and 15.04.2009 (P-6) by quashing the condition laid down in circulars dated 24.02.2009 and 15.04.2009 to treat them as fresh entrants as they were transferred as Vocational Lecturers and are performing the same duties with same responsibilities.

Issue notice of motion.

On asking of the Court, Ms. Palika Monga, DAG Haryana accepts notice on behalf of the State.

At the very outset, learned counsel for the petitioners has referred to the judgment passed by this Court in ***Mahinder Pal and others vs. State of Haryana and another***, CWP No.1885 of 2011, decided on 11.05.2016 (Annexure P-12), whereby the petitioners were transferred from the Department of Industrial Training and Vocational Education to the Secondary Education Department and were seeking benefit of equal pay at par with the Lecturers

working in the Secondary Education Department. Ultimately, the aforesaid petition was allowed and the judgment was thereafter, implemented vide order dated 20.12.2018 (Annexure P-14) by the Director General, Secondary Education, Haryana only qua the petitioners (therein). The benefit has not been extended to the present petitioners.

With regard to their grievance, the petitioners have served a legal notice dated 05.09.2017 (Annexure P-13) upon the respondents, but no action has been taken thereon till date.

At this stage, present petition is disposed of by giving direction to the respondents to look into the legal notice dated 05.09.2017 (Annexure P-13) keeping in view the order dated 20.12.2018 (Annexure P-14) as well as judgment passed by this Court in *Mahinder Pal's* case (supra) and pass appropriate order (s) in accordance with law, within a period of four months from the date of receipt of certified copy of this order.

February 07, 2019
G Arora

(RITU BAHRI)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes</i>
<i>Whether reportable</i>	<i>No</i>