

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

**CWP NO. 12307 of 2016(O&M)
Date of Decision: 03.07.2019**

Manindra Pal Singh

... Petitioner

versus

State of Punjab & Ors.

... Respondents

CORAM : HON'BLE MR. JUSTICE ARUN MONGA

Present : Mr. Sameer Sachdeva, Advocate
for the petitioner.

Ms. Ambika Bedi, AAG Punjab.

ARUN MONGA, J. (ORAL)

1. Impugned herein, *inter alia*, is the non-grant of pay grade of Rs.16400-450-20900-500-22400/- with minimum basic pay @ Rs. 17300/-, as admissible to Principal(Professor Grade) serving in the Government aided college/ respondent No.3.

2. One of the grounds seeking the relief prayed herein is that once as per University Grants Commission (for brevity, UGC) notification dated 24.03.1999(Annexure P-9), duly adopted by the State of Punjab, wherein entitlement of the pay grade has been recommended, the same, therefore, cannot be kept in abeyance indefinitely, as has been done in the case of petitioner.

3. Learned counsel for the petitioner submits that the action of the respondents is in complete contradiction and defiance of their own order dated 26.05.2013 (Annexure P-16) which envisages that the pay scale as prayed by the petitioner is admissible to him on completion of 25 years of service.

4. Learned counsel for the petitioner points out that the petitioner was appointed as Lecturer on 01.09.1986 and as a Principal on 31.05.2005 and successfully completed 25 years of service on 2011. Notwithstanding the benefit of pay grade of Rs.16400-450-20900-500-22400/- is not being granted to him.

5. Confronted with the situation, learned State counsel though does not deny the issuance of order/ instructions dated 26.05.2013 (Annexure P-16), but argues that the petitioner cannot be granted the prayer in view of the clarifications/ letter dated 30.10.2008(Annexure R-2). She submits that minimum basic pay of Rs.17300/- is admissible to those Principals only who had completed 25 years of service as Lecturer/ Principal. The petitioner had not completed 25 years of service, therefore, he is not entitled to basic pay of Rs.17300/- in the pay grade of Rs.16400-450-20900-500-22400/-.

6. Keeping in view the stand of respondents No.1 and 2 in the joint return filed by way of an affidavit of Sh. H.S. Bhalla, Deputy Director (C&P), the writ petition is disposed of with a direction to the respondents to consider the case of the petitioner according to the instructions dated 30.10.2008(Annexure R-2) and to grant the pay scale with effect from the date on which he completed 25 years of service as Lecturer/ Principal. Arrears, if any, be calculated up-to-date and paid along with interest @ 6% per annum. The needful be done within three months from the date of receipt of certified copy of this order.

(ARUN MONGA)
JUDGE

July 03, 2019

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1. Whether speaking/ reasoned:
2. Whether reportable:

Yes/ No
Yes/ No