

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

**CWP NO. 20497 OF 2015
DATE OF DECISION : 14.01.2019**

Raj Sharma

...Petitioner

versus

State of Punjab and others

...Respondents

CORAM : HON'BLE MR. JUSTICE ARUN MONGA

Present : Mr. R. K. Chauhan, Advocate,
for the petitioner.

Mr. Abhay Pal Singh, AAG, Punjab.

Ms. Astha Dhanda, Advocate
for respondents No.3 and 4.

ARUN MONGA, J. (ORAL)

1. Learned counsels for the respective parties are *ad idem* that the case of petitioner is covered by a judgment of this Court rendered in CWP No.21455 of 2010, decided on 07.02.2013, titled as "**Archana Walia v. State of Punjab and others**".

2. At this stage, learned counsel for the petitioner points out that the petitioner is entitled to fixation of minimum pay scale corresponding to the revised pay scales of Laboratory Assistants in the government aided schools w.e.f 01.01.2006 in proportion to the work load of the time table, being a part time employee.

3. The said contention of learned counsel for the petitioner is also fully covered by the ratio of judgment in

Archana Walia's case, supra.

4. In view thereof, the present writ petition is allowed in terms of judgment rendered in *Archana Walia's case, ibid.*

5. Accordingly, a direction is issued to the respondents to fix the pay scale of petitioner as per the minimum pay scale corresponding to the revised pay scale of Laboratory Assistants in the government aided schools w.e.f 01.01.2006, with all consequential benefits, along with interest @ 9% per annum. The consequential benefits shall only be confined to pecuniary benefits arising out of the fixation of pay scale w.e.f 01.01.2006.

6. It is, however, made clear that payment of monetary benefits to the petitioner herein is restricted to 38 months prior to filing of present writ petition. The respondents are directed to make the calculations accordingly and pay the arrears to the petitioner for said 38 months within a period of three months from the date of receipt of certified copy of this order.

7. The other prayer for grant of seniority and promotion made in petition has since become infructuous, in view of the fact that the petitioner has retired during the pendency of present writ petition. The writ petition is disposed of accordingly.

(ARUN MONGA)
JUDGE

JANUARY 14, 2019
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1.	Whether speaking/reasoned :	Yes/No
2.	Whether reportable :	Yes/No