

(233) IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No.28537 of 2017
Date of decision : 16.07.2019

Lalit Kumar Swami & Others

.... Petitioners

Versus

State of Haryana and another

.... Respondents

Before: Hon'ble Mr. Justice B.S. Walia.

Present: Mr. B.K. Bagri, Advocate for the petitioners.
Mr. Pankaj Mulwani, DAG, Haryana.

B.S. WALIA, J. (ORAL)

[1] Claim in the writ petition is for the issuance of a writ in the nature of Mandamus directing the respondents to remove the pay anomaly by granting selection grade of ₹ 7500/- – ₹ 12000/- w.e.f. 01.01.1996 instead of 01.08.2000 for the post of Lecturers in terms of Government of Haryana letter Annexure P-1 dated 19.12.2000 vide which Head Masters, Government High Schools and 20% cadre posts of Lecturers, Government Senior Secondary Schools were granted the benefit of selection grade in terms of judgment dated 20.02.2017 passed by this Court in CWP No.9347 of 2016 in case titled as Jagat Singh and others v. State of Haryana and others.

[2] Learned DAG states that all the petitioners have been granted the benefit claimed with effect from the due date vide order dated 05.07.2019. Copy of the said order has been filed in Court today. The same is taken on record. Copy thereof handed over to learned counsel for the petitioners.

[3] Learned counsel for the petitioners on perusal of order dated 05.07.2019 states that the said order grants the selection grade of ₹ 7500/- – ₹ 12000/- to the petitioners in the Lecturer State Cadre w.e.f. 01.01.1996 notionally and actually prospectively limited to 20% cadre strength of the Lecturer (School Cadre) but in view of arrears of 38 months having been granted to the petitioners in CWP No.9347 of 2016 in case titled as Jagat Singh v. State of Haryana and others on the basis of which order dated 05.07.2019 has been passed, the petitioners are also entitled to similar benefit.

[4] The same is not opposed to by the learned DAG.

[5] In view thereof, the writ petition is disposed of by holding the petitioners entitled to the pay scale/selection grade of ₹ 7500/- – ₹ 12,000/- w.e.f 01.01.1996 notionally subject to fulfillment of the other terms and conditions contained in order dated 05.07.2019. However, the petitioners would be entitled to the benefit of arrears of pay for a period of 38 months prior to the date of filing of the writ petition and arrears shall be released within a period of two months from today failing which the same shall carry interest at the same rate as was ordered in CWP No.9347 of 2016 with effect from the date of entitlement till date of payment.

16.07.2019
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(B.S. Walia)
Judge

1. Whether speaking/reasoned: Yes/No.
2. Whether reportable : Yes/No.