

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

118

CWP-8302-2020

Date of decision: 19.06.2020

Manju Verma

.....Petitioner

Versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI

Present : Mr. Vikram Sheoran, Advocate for the petitioners.

ARUN KUMAR TYAGI, J (ORAL)

The case has been taken up for hearing through video conferencing.

The petitioner has filed present petition under Article 226/227 of the Constitution of India for issuance of a writ in the nature of mandamus directing the respondents to grant equal pay scale of Rs.26,000/- to the petitioner with all consequential benefits from the date when it was given to the similarly situated JBT adhoc teachers vide letter dated 31.10.2019 (Annexure P-6).

Learned Counsel for the petitioner has submitted that the petitioner was selected for the post of JBT Teacher in the year 2017 and working on adhoc basis on fixed pay of Rs.21,715/-. The posts of JBT adhoc and JBT guest teachers are of the same nature involving the same work but JBT guest teachers are being paid Rs.26,000/-. In some of the districts JBT adhoc are also getting same pay of Rs.26,000/- as is being paid to JBT guest teachers. Payment of salary of Rs.21,175/- instead of Rs.26,000/- per month to the petitioner is against settled law of "Equal Pay for Equal Work" laid down by Hon'ble Supreme Court in ***Civil Appeal No.213 of 2013 titled as State of Punjab Vs. Jagjeet Singh decided on 26.10.2016***. The petitioner made representation dated 22.04.2020 for enhancement of her monthly remuneration from Rs.21,715/- to Rs.26,000/- but no action has been taken on the representation. The petitioner would be satisfied if a direction is issued to the respondent No.3 to decide her representation by speaking order.

Notice of motion.

Mr. Gaurav Jindal, Addl. AG, Haryana has accepted notice on behalf of the respondents.

Copy of the paper book has already been supplied to learned State Counsel.

Learned State Counsel has no objection if the petition is disposed of with a direction to respondent No.3 to dispose of the representation of the petitioner.

In view of the facts and circumstances of the case and no objection of learned State Counsel, but without meaning to comment on merits in any manner, the petition is disposed of with a direction to respondent No.3-Director Elementary Education, Haryana to look into the matter and to dispose of the representation dated 22.04.2020 (Annexure P-4) of the petitioner in accordance with law by way of passing a speaking order expeditiously preferably within a period of three months from the date of receipt of a copy of this order.

A copy of this order be supplied to learned State Counsel and be also sent to respondent No.3 through e-mail for information/requisite compliance.

19.06.2020

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(ARUN KUMAR TYAGI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No