

Sr. No.752 (2nd case)

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH
CWP-1013-2002(O&M)
Date of decision: 26.05.2022

Dharampal and others
Vs.
State of Haryana and others

...Petitioners
...Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present: None for the petitioners.

Mr. R.D.Sharma, DAG, Haryana.

ARUN MONGA, J. (ORAL)

Petition herein, *inter alia*, is for issuance of a writ in the nature of mandamus directing the respondents to grant benefit of same higher pay scale to the petitioners having equivalent qualification to that of JST which was given to other teachers holding qualifications of J.S.T.

2. Petition was admitted on 11.02.2003.

3. When called out for hearing, there is no representation on behalf of the petitioners. It seems that by sheer effluxion of time and pendency of the writ petition for more than 19 years before this Court, either it has been rendered infructuous or even otherwise the petitioners seem to have lost interest in pursuing the same.

4. In any case, it appears that even on merits, claim of the petitioners is not admissible in view of the following stand taken in para 1 of the reply, which is reproduced herein below for ready reference:-

“1. That the present writ petition has been filed by the petitioners in this Hon’ble Court for the issuance of a writ in the nature of mandamus directing the respondents to release them the pay scale of Rs.110-250 (w.e.f. 01.11.1956) and Rs.220-400 (w.e.f. 01.12.67) on acquiring of higher qualification of B.A./Inter/T.D.C. Part-I.

In this connection it is submitted that the claim of the present petitioners for the grant of Higher Pay Scale on acquiring of

B.A./Inter/T.D.C. Part-I qualifications is mainly based on the pay revision letter dated 23.07.57 (Annexure P-1) issued by the composite Punjab Govt. under which the composite Punjab Govt. had revised the pay scales of certain classes of non-gazetted Govt. Servants including teachers with effect from 01.05.1957. Hence, the main question for adjudication before this Hon'ble Court is to examine the applicability of the pay revision letter dated 23.07.57 (Annexure P-1) issued by the composite Punjab Govt. to those teachers who have been appointed in Govt. Service after the formation of State of Haryana and the further revision of pay scales made from time to time by the State of Haryana. It is submitted that this Hon'ble Court had already adjudicated upon the issue relating to the grant of higher pay scales on acquiring of higher qualifications in terms of letter dated 23.07.1957 in CWP No.6645 of 2000 Pushpa Devi Vs. State of Haryana and others decided on 25.05.2000."

6. Learned State counsel has canvassed arguments on similar lines as the stand taken in the aforesaid written statement.

7. I am in agreement with the stand taken by the respondents as aforesaid. Neither any replication has been filed to the afore noted stand of the respondents nor any additional affidavit of any kind to controvert the same.

8. In view of the aforesaid, no grounds are made out to interfere.
Dismissed.

26.05.2022
vandana

(ARUN MONGA)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No