

Mamta ...Petitioner

State of Punjab and others ... Respondents

SANJEEV PRAKASH SHARMA, J.(Oral)

2. The petitioner has again come to this Court after the decision of the District Education Officer (EE), Mohali. However, this Court finds that the order passed by the District Education Officer (EE), Mohali, rejecting the representation and legal notice of the petitioner is based on fact that similar writ petition bearing CWP-22069-2014, titled ‘Om Parkash and others vs. State of Punjab and others’, was preferred wherein the department by relying upon the judgment of the Hon’ble Supreme Court in the case of **Hukam Chand Gupta vs. Director General, ICAR and others** decided on 25.09.2012 and the Government of **Andhra Pradesh and others vs. P. Hari Hara Prasad and others (2002) 7 SCC 707**, had contended that the ground of revision of

pay is in the exclusive domain of the employer.

3. In the opinion of this Court, no right exists with any employee to claim a particular pay scale. It is also noticed that the pay scale of Rs.10300-34800, of the petitioner has been recommended by the 5th Pay Commission, which was granted to the ETT Teachers w.e.f. 01.10.2011. Pay scales of certain other categories of posts were re-revised in December, 2011. The petitioner demands that his pay should also be re-revised.

4. Keeping in view the law laid down by the Hon'ble Supreme Court (supra) and that the similar writ petition filed by one Om Parkash, has already been dismissed, there was no occasion for the petitioner to again challenge the order passed by the District Education Officer (EE), Mohali, which is based on the aforesaid judgments as noticed above. Moreover, the petitioner has not even bother to mention about the said fact of similar writ petition already having been dismissed by this Court on 11.09.2017.

5. The writ petition is totally frivolous and is accordingly dismissed with costs of Rs.5,000/- to be deposited in the Punjab and Haryana High Court Bar Association Welfare Fund.

6. All pending misc. application(s) also stand disposed of.

(SANJEEV PRAKASH SHARMA)
JUDGE

25.09.2023.

rajesh

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