

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

CWP-17802-1997

Date of Decision: 30.04.2024

**MAHABIR SINGH AND OTHERS
Vs.**

...Petitioners

THE STATE OF HARYANA AND OTHERS

...Respondents

CORAM:- HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA

Present: Mr. Ravi Verma, Advocate for the petitioners.

Ms. Tanushree Gupta, DAG, Haryana.

TRIBHUVAN DAHIYA, J. (Oral)

The petition has been filed seeking a writ of mandamus directing the respondents to grant higher standard pay scale of Rs.1640-2900 to the petitioners with effect from 01.01.1994 and that of Rs.2000-3200 with effect from 01.04.1995, in terms of Government letters dated 08.02.1994 and 09.05.1995, Annexures P-2 and P-3, respectively, with all consequential benefits.

2. Learned counsel for the petitioners has contended that the petitioners were appointed as J.B.T. Teachers in the Haryana Education Department in the year 1963 to 1972 on regular basis. Their pay scales were linked with their qualifications in view of the Government letter dated 23.07.1957. Later, the Government issued letter dated 08.02.1994, Annexure P-2, for grant of higher standard pay scale to Group 'C' and 'D' category employees who had completed ten years or twenty years of regular satisfactory service. It is also stipulated therein that every employee of Group 'C' and 'D' category who had not got any promotion or promotional

scale/higher time scale/selection grade in his service career, and had completed twenty years or more of regular satisfactory service would be allowed the scales with effect from the date 01.01.1994 in place of the existing pay scale. Accordingly, it is claimed that the petitioners are entitled to the said benefit since they have never been given any promotion or promotional scale/higher time scale/selection grade in their service career.

3. Learned State counsel on the contrary contends that the petitioners are not entitled to any upgradation in terms of the instructions since they have already been granted the higher pay scale. There is specific averment in paragraph 5 of the written statement that the petitioners held the post of JBT teachers in the grade of Rs.1200-2040. After ten years the next standard scale of Rs.1400-2600, and after twenty years the higher scale of Rs. 1600-2660 was granted to the eligible teachers/petitioners.

4. Heard.

5. Learned counsel for the petitioners is not in a position to dispute the specific stand taken by the respondents in their written statement that on completion of ten and twenty years of service, they were given the higher standard pay scales. Accordingly, the petitioners cannot be held entitled to further upgradation in terms of the policy, and there is no merit in their claim.

6. Dismissed.

30.04.2024kv

(TRIBHUVAN DAHIYA)
(JUDGE)

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No