

attached to the said post hence, the claim of the petitioners with regard to the salary along with allowances for the post of Head Teacher is liable to be rejected.

I have heard learned counsel for the parties and have gone through the records of the present case with their able assistance.

Once, the factum that the petitioners were posted as a Head Teacher and they continued to discharge their duties on the said post for a particular period is conceded by the respondent Department, keeping in view the judgment of the Division Bench in *Veena Kumari's case (supra)*, the petitioners become entitled for the salary along with allowances of the higher post, of which, they had discharged the duty even if the same was on current duty charge.

As per the settled principle of law, an employee is entitled for the salary of the post on which he/she is working or discharged the duties.

Learned counsel for the respondent has not been able to rebut the fact that the petitioners discharged the duties as higher post of Head Teacher for a particular period.

Keeping in view of above mentioned facts and settled principle of law noticed hereinbefore, the present petition is allowed in terms that for the period the petitioners had discharged the duties of the Head Teacher, they are entitled for the salary along with allowances for the post of Head Teacher.

The respondents are directed to compute the said salary along with allowances keeping in view the record i.e the period for which the petitioners have discharged the duties for the post of Head Teacher and

release the benefits in terms of the present order within a period of 8 weeks from the receipt of copy of this order.

Pending application, if any, also stands disposed of.

23-09-2024

Sapna Goyal

(HARSIMRAN SINGH SETHI)
JUDGE

NOTE:

Whether speaking : YES/NO
Whether reportable: YES/NO