



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Sr. No.208

Date of Decision: 08.04.2026

1) CWP No.894 of 2001

Santosh Kaur and others

.... Petitioners

Versus

State of Haryana and others

... Respondents

2) CWP No. 3436 of 2001

Amar Singh and others

.... Petitioners

Versus

State of Haryana and others

... Respondents

CORAM: HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA

Present: Mr. R.K. Malik, Senior Advocate, with
Mr. Anshul Labana, Advocate,
for the petitioners in CWP No.894 of 2001.

None for the petitioners in CWP No.3436 of 2001.

Mr. Aakash Singla, Additional Advocate General, Haryana.

TRIBHUVAN DAHIYA, J. (ORAL)

Both these petitions are being decided together by this common order as the issue involved is identical. For brevity, the facts are being noticed from CWP No.894 of 2001, which has been filed *inter alia* seeking a writ of *certiorari* quashing the memo dated 26.05.2000, Annexure P-7, whereby the case of petitioner no.1 for pay fixation as Head Teacher in the scale of ₹5500-9000 with effect from 01.01.1996 has been rejected. Further,



a direction has been sought to fix the petitioners' pay in the manner pay of other Language Teachers/Masters in the Department has been fixed.

2. Learned senior counsel contended that the petitioners were initially appointed as JBT Teachers in the Department on different dates between 01.09.1962 to 23.07.1968. Later, they were promoted as Head Teachers in the pay scale of ₹1400-2600 vide promotion orders, dated 26.04.1994 and 24.07.1995, Annexures P-1 and P-2, respectively. Their basic pay was, accordingly, fixed at ₹1850, ₹1900, ₹1950, as on 31.12.1995. The Government revised pay scale of Head Teachers vide notification dated 07.08.1998 with effect from 01.01.1996, and the existing pay scale of ₹1400-2600 was revised to ₹5500-9000. As per pay fixation table for Masters, Language Teachers and Head Teachers, the petitioners were entitled to revised pay of ₹6025 or ₹6200 on 01.01.1996 as they were getting basic pay of ₹1850 or ₹1900 or ₹1950 as on 31.12.1995. However, their pay was fixed at ₹5675 as on 01.01.1996, in violation of the notification.

3. Learned State counsel, however, contended that JBT Teachers in the Department were granted the pay scale of ₹1200-2040 in terms of Haryana Government Finance Department notification dated 29.04.1987. Vide subsequent notification dated 08.02.1994, second higher standard pay scales were granted to Group 'C' and 'D' employees on completion of ten and twenty years or more of regular satisfactory service with effect from 01.01.1994; on completion of ten years, the admissible scale was ₹1400-2600, and on completion of twenty years, it was ₹1600-2660. Since the petitioners had completed more than twenty years of satisfactory service prior to 01.01.1994, they were placed in the pay scale of ₹1600-2660, and their pay was accordingly fixed with effect from 01.01.1994. The posts of Head Teacher, Primary School, in the pay scale of ₹1400-2600, were created



vide Haryana Primary Education (Group-C) District Cadre Service Rules, 1994, notified on 16.09.1994. The petitioners being the senior most in service, were granted promotion to the post of Head Teacher, but continued working in the second higher standard pay scale. This scale was higher than the functional pay scale meant for the promotional post of Head Teacher. However, while claiming fixation of pay under the Haryana Civil Services (Assured Career Progression) Rules, 1998, they misconstrued their existing pay scale of ₹1600-2660 as functional pay scale for the post, which was not the case as explained hereinbefore.

3.1. Vide Government notification dated 07.01.1998, pay scales of JBT/Primary Teachers were revised from ₹1200-2040 to ₹4500-7000; ₹5450-8000 after ten years of regular satisfactory service; and ₹5500-9000 after twenty years of regular satisfactory service. However, in the revised pay scale notification there was no mention of pay scales for the posts of Head Teachers of Primary Schools, Head Masters of Middle Schools, Lecturers in Senior Secondary Schools, and Head Masters of High Schools. The revised pay scales of Head Teachers were issued separately vide Finance Department instructions, dated 07.08.1998, revising the existing functional pay scale of ₹1400-2600 to ₹5500-9000; ₹6500-9900 after ten years of regular satisfactory service; and ₹6500-10500 after twenty years of regular satisfactory service. Since the petitioners had not completed ten years of service on the post of Head Teacher, their pay was rightly fixed under revised pay scale meant for JBT/Primary Teacher on completion of twenty years regular satisfactory service or functional pay scale of Head Teacher which are identical, i.e., ₹5500-175-6300-EB-175-9000. These facts have been detailed in the written statement filed on behalf of respondents no.1 to 3, and remain undisputed.



4. Heard.

5. The petitioners are not entitled to fixation of pay as claimed by referring to the notification dated 07.01.1998. The fixation has been sought by concealing material facts that they had already been given higher standard pay scale of ₹1600-2660 on completion of twenty years of regular service as JBT with effect from 01.01.1994, which was higher than the revised functional pay scale of Head Teachers, i.e., ₹1400-2600. For whatever reason they were allowed to continue in a scale higher than the pay scale for the post of Head Teacher, that cannot be a ground to seek refixation even in the subsequent revised pay scale of Head Teachers, which was given vide notification dated 07.08.1998.

6. In view thereof, finding no merit in these petitions, the same are hereby dismissed.

7. A photocopy of this order be placed on the case file(s) of connected matter(s).

(TRIBHUVAN DAHIYA)
JUDGE

08.04.2026
Maninder

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