



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

Sr. No.113

CWP No.37672 of 2025

Date of Decision: 30.03.2026

Santosh Kumari

.... Petitioner

Versus

State of Haryana and others

... Respondents

CORAM: HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA

Present: Mr. Mohammad Arshad, Advocate, for the petitioner.

Mr. Amit Sahni, Additional Advocate General, Haryana,
assisted by Mr. Harmanjit Singh Johal, Advocate.

Mr. S.P. Laler, Advocate, for respondent no.4.

TRIBHUVAN DAHIYA, J. (ORAL)

The petition has been filed *inter alia* seeking a writ of *mandamus* directing respondents no.1 to 3 to step up the petitioner's pay at par with that of respondent no.4, who is junior to her.

2. Learned counsel for the petitioner pointed out that the petitioner was appointed as JBT Teacher on 30.11.1995, and respondent no.4 was so appointed on 08.03.1999. She was promoted as C&V Sanskrit Teacher with effect from 07.06.2007, and respondent no.4 was so promoted vide order dated 18.08.2008, and joined as such on 22.08.2008. However, as on 01.07.2021, the petitioner was drawing basic pay of ₹68,000, as apparent from her service book, Annexure P-5, whereas respondent no.4 was drawing higher basic pay of ₹73,400 on that date, which is apparent from her service book, Annexure P-4. As per the settled law, a senior employee cannot draw lesser pay than that of his junior and, accordingly, the petitioner's pay is required to be stepped up to ₹73,400 with effect from 01.07.2021.



3. Learned State counsel as well as counsel for respondent no.4 contend that respondent no.4 had been promoted as Elementary School Head Master (Mewat Cadre), vide order dated 09.02.2021, with effect from 04.09.2017. Accordingly, on 01.07.2021 she was not in the cadre of C&V Teachers/TGTs. The fact has been mentioned in the instructions dated 25.02.2026, Annexure ‘A’, which could not be disputed by learned counsel for the petitioner.

4. In view of the facts aforementioned, the petitioner’s claim for stepping up of pay at par with that of respondent no.4 is without any basis. On the date of disparity, 01.07.2021, these two employees were not working in the same cadre. Accordingly, the petitioner’s pay cannot be stepped up by referring to the pay drawn by respondent no.4 on that date.

5. Dismissed.

(TRIBHUVAN DAHIYA)
JUDGE

30.03.2026
Maninder

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