

IN THE HIGH COURT OF HIMACHAL PRADESH,
SHIMLA.

CWP No. 5005 of 2012-A

Decided on: 29th June, 2012.

1. Pradeep Kumar s/o Sh. Anant Ram r/o village Bunlohardi, PO Bhambla, Tehsil Sarkaghat, Distt. Mandi, HP presently working as PET in Govt. Middle School Sail, under complex GSSS Bhawai, Distt. Sirmour, HP.
2. Raghuvir Singh s/o Sh. Surat Ram r/o VPO Charna, Sub Tehsil Nauradhar, Distt. Sirmour, HP presently working as a DM in Govt. High School Charna, Distt. Sirmour, HP.
3. Salochna Devi w/o Sh. Raghuvir Singh r/o VPO Charna, Sub Tehsil Nauradhar, Distt. Sirmour, HP presently working as PET in Govt. High School Charna, Distt. Sirmour, HP.
4. Ranjeet Singh s/o Sh. Sahi Ram r/o village Gehnog, PO Bhujal, Tehsil Rajgarh, Distt. Sirmour, HP presently working as DM in Govt. Sr. Sec. School Nauradhar, Distt. Sirmour, HP.

Petitioners.

Versus

- 1.State of HP through Secretary Education, HP Shimla-2.
2. Director of Elementary Education, Shimla, HP.

Respondents.

Coram

The Hon'ble Mr. Justice Kurian Joseph, Chief Justice
The Hon'ble Mr. Justice Dharam Chand Chaudhary, Judge.

For the Petitioners : Mr.R.S. Chandel, Advocate.

**For the Respondents : Mr. R.K. Bawa, Advocate General
with Mr. Ankush Dass Sood, Addl.
AG and Mr. J.K. Verma, DAG, for
respondents No.1 & 2.**

Justice Kurian Joseph, C.J. (Oral)

The writ petition is filed with the following prayers:

“(a) A writ of mandamus may kindly be issued to and the respondents may very kindly be directed to release the salary for the vacation period in favour of the petitioners from the dates, as has been mentioned in the body of the petition, of their initial appointments till their regularization.

(b) That the writ in the nature of mandamus may kindly be issued and the respondents may very kindly be directed to pay the pay scale of 4550-7220 to petitioner Nos. 1 to 4 which was admissible to the regularly appointed JBTs.”

2. The issue pertaining to the vacation salary to contract teachers is squarely covered by the judgment of this Court rendered in CWP No.415 of 2000, titled as **Baldev Singh and others** vs. **State of Himachal Pradesh and others** and the judgment has become final. Therefore, there will be a direction to the respondents to release the due and admissible vacation salary, during the entire service period, to the petitioners in case the same has not been granted so far, within a period of four months from the date of production of a copy of this judgment along with a copy of the writ petition and the copy of the judgment, referred to above. If the amounts are not disbursed as above, the petitioners will be entitled to interest @ 10% and the officers responsible for the delay shall be personally liable for the same.

3. So far as the case of the petitioners for grant of revised pay scale is concerned, the same be considered within a further period of two months after the decision rendered by this Court in LPA No. 105 of 2010.

4. The writ petition is disposed of, so also the pending application(s), if any.

(Justice Kurian Joseph),
Chief Justice

29th June, 2012.
(tr)

(Justice Dharam Chand Chaudhary),
Judge.

