

**HIGH COURT OF JUDICATURE FOR RAJASTHAN BENCH AT
JAIPUR**

S.B. Civil Writ Petition No. 2422 / 2018

Dr. Rashmi Bhatnagar Wife of Shri Anant Bhatnagar, Aged About 45 Years, College Lecturer (English), Government Girls College - Sarwar, District Ajmer & Resident of 66, Kailashpuri, Christianganj, Ajmer

----Petitioner

Versus

1. State of Rajasthan Through the Principal Secretary, Department of Higher (College) Education, Secretariat, Jaipur.

2. The Commissioner, College Education - Rajasthan, Shiksha Sankul, J.L.N. Marg, Jaipur

3. The Principal, Government Girls College - Sarwar, District Ajmer

----Respondents

For Petitioner(s) : Mr. S.K. Saksena Adv.

HON'BLE MR. JUSTICE ASHOK KUMAR GAUR

Order

02/02/2018

Counsel for the petitioner submits that petitioner was granted benefit of Pay Band-IV with Grade Pay of Rs.9,000/- in the pay scale of Rs. 37,400-67,000 vide order dt. 13th January, 2016 issued by the Principal, Government College Sojat City. The said order was passed by the Principal in pursuance of order dt. 10th November, 2015 issued by the Directorate, whereby the Lecturers who were granted benefit of selection scale prior to 30th June, 2010, were held entitled for selection scale on completion of three years of service and were to be granted the pay scale of Rs. 37,400-67,000. Counsel submits that as per order of UGC letter dt. 4th August, 2005, the Lecturers (Selection Grade) who were

promoted during the period of 1st January, 2006 till 30th June, 2010 were required to be given pay band IV with academic grade of Rs. 9,000 after completing three years of service without insisting upon the requirement of 'API based PBAS System'. Counsel for the petitioner submits that Principal Government College, Sojat has informed vide his letter dt. 5th December, 2017 that salary will not be paid to the petitioner as there is a dispute with regard to the payment made to the petitioner as per pay Band IV.

Counsel further submits that the said Principal of Government College, Sojat (Raj.) has further written a letter dt. 22nd January, 2018, copy of which has not given to the petitioner but same has been reproduced in the writ petition, whereby the Director of the College Education has informed that orders of the State Government dt. 19th May, 2001 and 8th May, 2013 were not available and as such now there will be revision of pay scale of the petitioner and salary of the petitioner will be paid after such revision from the month of September, 2017 to December, 2017 and further petitioner would be paid salary of January, 2018., after making necessary changes and adjustment of the amount by way of recovery from the salary, already paid to the petitioner.

Issue notice of writ petition as well as stay application to the respondents, returnable within four weeks.

Notices be given 'dasti', if prayed.

In the meanwhile and until further orders, respondents are restrained from making any recovery from salary of the petitioner which she was granted in pursuance of order dt. 13th January,

2016 and she would further be paid her regular salary without effecting any recovery from the amount which has already been paid to the petitioner.

(ASHOK KUMAR GAUR)J.

Monika/105

RAJASTHAN HIGH COURT



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