

S U P R E M E C O U R T O F I N D I A

RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No(s).10155/2004

(From the judgement and order dated 25/07/2003 in LPA No. 274/2003 of HIGH COURT OF
JHARKHAND AT RANCHI)

ASHA KUMARI @ ASHA KUMARI SINGH

Petitioner(s)

VERSUS

STATE OF JHARKHAND & ORS.

Respondent(s)

(With prayer for interim relief)

Date: 05/11/2004 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE Y.K. SABHARWAL

HON'BLE Mr. JUSTICE P.P. NAOLEKAR

For Petitioner(s) Mr. K.K. Rai,Adv.

For Respondent(s)

Mr. Vishwajit Singh,Adv.

UPON hearing counsel the Court made the following

O R D E R

The petitioner, in terms of Memo No.10108-10312, dated 24th May
1988 (pp

34-36), was appointed on temporary basis as a teacher in a Matric basis scale of Rs.5
80-

860. She gave joining report on 4th June, 1988 as a Science teacher (B.Sc. trained).
The

pay scale in respect of the graduate trained teachers for the initial post is Rs.850-1
360 (p.

16). It seems that right from the beginning, though ordered to be appointed in the
scale

of Rs.580-860, the petitioner was paid the salary in the scale of Rs.850-1360. Accord
ding

to the respondents, an investigation had been conducted in view of withdrawal of la
khs

of rupees illegally by the teachers in the office of the Distric
t Superintendent of

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Education, Dumka. As a result thereof, by order dated 26th September, 2000, recovery

has been ordered from the teachers, including the petitioner with whi
ch we are

concerned.

Reliance has been placed by the petitioner to minutes of mee
ting dated 15th

January, 1996 whereby it was decided that the B.Sc. trained teachers would be given the

higher scale from the date of joining. The said order to the extent stated
in the order

dated 26th September, 2000 has been quashed. It is not clear as
to what salary the

petitioner was drawing from 4th June, 1988 onwards. If she was drawing the salary in

the scale higher than that of Rs.580-860, then under what orders it was so.

Learned counsel for the petitioner seeks further opportunity
to take

instructions and file an additional affidavit stating therein as to the scale of p
ay being

paid to the petitioner from June, 1988 onwards and the orders, if any, for grant of scale

higher than Rs.580-860. Let that affidavit be filed within six weeks. Reply
thereto be

filed within four weeks thereafter.

(N. Annapurna)

Court Master

(Mithilesh Raghav)

Court Master