

**Directorate of Elementary Education Haryana, Shiksha Sadan, Sector 5,
Panchkula**

Order No. 17/36-2020 HRM-III (1)

Dated Panchkula the, 26-4-21

Whereas Sh. Fateh Singh approached the Hon'ble Punjab & Haryana High Court by way of filing a Civil Writ Petition i.e. CWP No.12504/2020-Fateh Singh V/s State of Haryana & Others praying therein for issuance of a writ in the nature of mandamus directing the respondents to stepping up of his pay at par with respondent No. 5 who is very much junior and getting more salary as compared to the petitioner.

The said petition came up for hearing before the Hon'ble High Court on 26.10.2020 and was disposed off with the following directions :-

"The case has been taken up through video conferencing on account of Covid-2019 pandemic.

Prayer of the petitioner in the present writ petition is for stepping up of his pay at par with respondent No.4, who is junior to the petitioner and drawing more salary as compared to the petitioner.

In this regard, a representation dated 07.11.2019, (Annexure P-7) was made by the petitioner to respondent No.2 – Director, Secondary Education, Haryana, Sikhsha Sadan, Sector-5, Panchkula, which is still pending before the concerned authorities.

Without commenting upon the merits of the case, the present writ petition is disposed of with a direction to respondent No.2 – Director, Secondary Education, Haryana, Sikhsha Sadan, Sector-5, Panchkula, to decide the representation dated 07.11.2019 (Annexure P-7) of the petitioner expeditiously."

In compliance of this order dated 26.10.2020, the case of the claimant has been examined carefully and same was sent to Audit Cell for its opinion. After analyzing the case the audit cell gave its expert opinion. Thereafter the matter was peruse in the light of available record and expert opinion and found that as per the seniority list of 2006, the reserved category employee respondent No. 5 i.e. Sh. Dharmbir Singh is at seniority No. 9498 and General Category employee i.e. claimant is at 9530. So General Category employee Sh. Fateh Singh is junior to reserved category employee (As per instruction of CS No. 22/132/2008-3GS-III Dated 05.03.2009) therefore, the claimant has not been found entitled to claim this benefit of stepping up of pay as he is junior to respondent No. 5.

Accordingly, it has been found that the claim of claimant as sought in representation dated 07.11.2019 (Annexure P-7) has been found devoid of merits and deserves to be rejected/declined.

Order accordingly.



(Nitin Kumar Yadav),
Director General Elementary Education,
Haryana, Panchkula.

Regd.

To


1. Sh. Fateh Singh, ESHM, S/o. Sh. Banwari Lal, posted at Government Middle School Niyazlipur, Distt. Mahendergarh. (ID No.051070).

Endst. No.: Even

Dated Panchkula the, 29-4-21

A copy of this order is forwarded to following for information and necessary action:

1. District Elementary Education Officer, Narnaul.
2. Sh. Rohit Mittal, Advocate, Bar Room No.2 New Bar Complex, Punjab & Haryana High Court, Chandigarh.
- ✓ 3. IT Cell. To upload the Order on website.


Superintendent ESHM
for Director General Elementary Education,
Haryana, Panchkula