

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

RECORD OF PROCEEDINGS

IA NO.3/2004 in CIVIL APPEAL NO. 8745/2003

HARGURPRATAP SINGH & ORS.

Appellant (s)

VERSUS

STATE OF PUNJAB & ORS.

Respondent(s)

(for clarification of court's order dated 7.11.2003 and office report)

Date: 25/08/2005 This IA was called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE G.P. MATHUR

HON'BLE MR. JUSTICE P.K. BALASUBRAMANYAN

For Appellant(s)/

Ms. Rekha Palli, Adv.

Applicant(s)

Mr. Anant Vijay Palli, Adv.

Ms. Shubra Singh, Adv.

For Respondent(s)

Mr. Kuldip Singh, Adv.

Mr. Arun K Sinha, Adv.

UPON hearing counsel the Court made the following

O R D E R

The application stands disposed of in terms of the clarification made in the signed order. Let compliance be made in eight weeks.

(D.P. WALIA)

(RADHA R. BHATIA)

COURT MASTER

COURT MASTER

(Signed Order is placed on the file)

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

I.A. NO. 3/2004 IN CIVIL APPEAL NO. 8745/2003

Hargurpratap Singh & Ors.

... Appellants/

Applicants

vs.

State of Punjab & Ors.

... Respondents

O R D E R

C.A. No. 8745/2003 arising out of SLP(C) No. 14751/2003 was

disposed of vide order dated 7th November, 2003. The applicants

before us were the appellants therein. The operative part of the

order of this Court reads as under:

"..... Therefore, we set aside the orders made by the High Court to the extent the same deny the claim of the appellants of minimum pay scale and continuation in service till regular incumbents are appointed. We direct that they shall be continued in service till regular appointments are appointed. We direct that they shall be continued in service till regular appointments are made on minimum of the pay scale. The appeals shall stand allowed in part accordingly."

The grievance raised by the applicants is that they, though

serving for several years on ad hoc basis, are not being paid the

'minimum pay scale'.

Notice was issued to the State of Punjab to explain what

is the minimum pay scale in which other employees are being paid. In

the affidavit filed on 10th August, 2005 by Director of Public

Instruction (Colleges) on behalf of the respondent-State of Punjab,

the following break-up of the pay and allowances which is being paid

to the regular Lecturers has been filed:

Break up of the allowances which a regular Lecturer is entitled

Break up of the allowances	Before 1-4-2004	As on 1-4-2004	Position in July, 2005
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1) Basic Pay	8000/-	8000/-	8000/-
2) Dearness Pay	nil	4000/-	4000/-
3) Dearness allowances	4880/(@61% of basic pay)	1320/-(11% of basic pay + Dearness Allowance)	2040/-(17% of basic pay + Dearness Allowance)
4) H.R.A.	15%,7.5%,5%	15%,7.5%,5%	15%,7.5%,5%

The rate of House Rent Allowance differs from place to place.

5) Fixed Medical	250/-	250/-	250/-
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After hearing the learned counsel for the parties, we are satisfied that to give effect to the order of this Court dated 3rd November, 2003 the appellants should be paid at the rate of Rs.

12,000/- per month w.e.f. 1.4.2004. As the order of this Court did

not specifically direct allowances to be paid to the applicants, they

cannot claim the same.

The application stands disposed of in terms of the above-

said clarification. Let compliance be made in eight weeks.

.....CJI

(R.C. LAHOTI)

.....J

(G.P. MATHUR)

.....J

(P.K. BALASUBRAMANYAN)

New Delhi;

August 25, 2005.