

SUPREME COURT OF INDIA

State of Haryana

Vs.

B.L.Gulati

C.A.No.2249 of 1994

(Dr.A.S.Anand , C.J., R.C.Lahoti and K.G.Balakrishnan JJ.)

22.08.2000

ORDER

The Text below is only a summarized version of the order pronounced

Respondent challenged amendment in Rules of 1988 on ground that by virtue of said amendment members of State Judicial Services placed in selection grade were no longer entitled to draw any special pay and as such amendment was irrational and arbitrary. Special pay was granted because of arduous nature of duties assigned to post of District and Session Judge. Nature of duties attached to post do not undergo change only because incumbent by virtue of his seniority is granted selection grade. High Court struck down amendment on ground that if special pay was withdrawn from him on grant of selection grade then seniority, merit and efficiency are to be at discount with him. Supreme upheld decision of High Court.