

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**C.W.P. No.10973 of 1993 (O&M)
Date of Decision : 08.05.2015**

Rangi Ram and others

..... Petitioners

Versus

State of Haryana and others

..... Respondents

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

Present : Mr. Mani Ram Verma, Advocate
for the petitioners.

Mr. Ashok Singh Chaudhary, Addl.A.G., Haryana.

1. Whether Reporters of local papers may be allowed to see the judgment?
2. To be referred to the Reporters or not?
3. Whether the judgment should be reported in the Digest?

AJAY TEWARI, J. (Oral)

By this petition the petitioners have claimed the higher pay scale of Rs.1200-2040 w.e.f. 01.05.1990.

The petitioners were diploma holders in the trade of Workman and were appointed as Electrician with the respondents. They were denied the aforesaid pay-scale on the ground that they were not holding prescribed qualification of Matric with diploma of I.T.I. in the trade of Electrician.

Learned counsel for the petitioners has relied upon the decision of *CWP No.18754 of 1991, Gurdev Singh & others vs. State of Haryana*

and others (decided on 18.1.2010) along with a number of other similar petitions. It has been held as under:

“....the petitioners, if, working on technical posts cannot be deprived of the revised pay scales of Rs.1200-2040/- either on the ground that they are non-matric or that they are ITI or not or even they are having trade certificate of a different trade.”

Learned counsel for the petitioners also relies upon a similar decision in **CWP No. 7183 of 2011, Krishan Kumar and others vs. The State of Haryana and others** (decided on 13.2.2012).

In both these petitions, the benefit of pay scale of Rs. 1200-2040 (w.e.f. 1.5.1990) was granted to Group 'D' employees working on technical posts notwithstanding the fact that they did not have have the qualification of matric with ITI. Consequently, as per learned counsel for the petitioners, this writ petition has to be allowed in those terms.

Learned Additional Advocate General has not been able to counter these judgments.

In view of the decisions mentioned above which have admittedly attained finality, this writ petition is allowed. It is directed that the petitioners be placed in the pay scale of Rs.1200-2040 w.e.f. 01.05.1990. Respondents are directed to work out the benefits accruing from today's order to the petitioners and pay the same to them within a period of three months from the date of receipt of the certified copy of this order, failing which, the petitioners would be entitled to claim the same with interest @ 8% per annum from the date/s they fell due to the date of payment/s.

Since the main case has been decided, the pending civil miscellaneous application, if any, also stands disposed of.

May 08, 2015

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**(AJAY TEWARI)
JUDGE**