

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

**CWP No.2105 of 1992 (O&M)
Date of Decision : 13.03.2015**

Sri Krishan Dangi

..... Petitioner

Versus

The State of Haryana and others

..... Respondents

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

Present : Mr. Rajesh Goyal, Advocate for
Mr.Pritam Saini, Advocate
for the petitioner.

Mr.Gagandeep Singh Wasu, Addl. A.G., Haryana.

Mr.K.K.Gupta, Advocate
for respondents No.2 & 3.

AJAY TEWARI, J. (Oral)

By this petition, the petitioner has claimed two reliefs. First that he should be designated as Carpenter and thereafter get the benefit of technical pay scales.

The petitioner who had the qualification of Matric and ITI was appointed as a Helper-Carpenter in the pay scale of Rs.750-940. By the present petition he has claimed that since he has the essential qualifications of Carpenter he should be given the designation of Carpenter instead of Helper-Carpenter and placed in the pay scale of Rs.950-1500 and then in the technical pay scale of Rs.1200-2040.

To support his contention, the learned counsel for the petitioner has drawn the attention of this Court to the decision of this Court in RSA No.2163 of 2010 titled as “*Satyavir Singh Vs. Haryana Tourism Corporation & others*”.

In the written statement it has been clarified that there was only one post of Carpenter in the office of respondent No.3 and somebody senior to the petitioner is already working there. It has also been clarified that on some occasions the petitioner has been temporarily given the charge of Carpenter. It has further been mentioned that the Corporation being an autonomous body did not wholeheartedly accepted the pay scale of Rs.1200-2040 to all technical persons but limited to those who have minimum pay scale of Rs. 950-1500 and therefore, urged that the present petition be dismissed.

Learned counsel for the petitioner has not been able to dispute the fact that the petitioner was appointed against the vacant post of Helper-Carpenter; that there is only one post of Carpenter under the respondent No.3; that a person senior to him is working against that post of Carpenter. Learned counsel has however argued that in the case of Satyavir Singh (Supra) the benefit was granted to that person.

Learned counsel for the respondents No.2 & 3 has however pointed out one basic difference in both the cases is that Satyavir Singh was appointed against the vacant post of Electrician and was designated as Helper-Carpenter only because he did not have the necessary qualification and thereafter he obtained the necessary qualification after taking

permission from the competent authority and that was the basis of his claim, whereas in the present case the petitioner was appointed against the vacant post of Helper Carpenter. As per learned counsel as and when the post of Carpenter become vacant, the petitioner will be considered there for but till that time he can not claim the benefit only on the ground that he has the same qualification as Satyavir Singh.

I find weight in the argument of learned counsel for the respondents No.2 & 3. In this view of the matter, no fault can be found with the stand of the respondents.

Petition is dismissed.

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

March 13, 2015

Pooja Sharma-I

**(AJAY TEWARI)
JUDGE**