

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

**CWP-13065-1995 (O&M)
Date of Decision : 25.03.2015**

Subhash Chander Bhatti

.... Petitioner

Vs.

Haryana Tourism Corporation Ltd. & anr.

... Respondents

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

Present : Mr.Ranjit Saini, Advocate
for the petitioner.

Mr.Pankaj Gupta, Advocate
for respondent No.1.

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

AJAY TEWARI, J.(ORAL)

Service upon respondent No.2 has been effected but none has entered appearance on his behalf.

By this petition the petitioner has claimed the higher pay-scale i.e. Rs.480-760 instead of Rs.400-660 which was granted to him.

The petitioner was appointed as a Junior Accountant on 06.08.1985. In the year 1986 he represented that he may be granted higher pay-scale. This representation was recommended by the Divisional Manager. However, instead of giving him higher pay-scale of Rs.480-760 or five increments as recommended, only one increment was granted to him.

Thereafter, consequent upon the revision of the pay-scale he was fitted in the revised pay-scale of Rs.950-1500 instead of Rs.1200-2040. However, again on his representation he was granted the pay-scale of Rs.1200-2040 w.e.f. 01.12.1989. The claim in the present writ petition is that he should have been granted the pay-scale of Rs.1200-2040 w.e.f. the date of revision and not from the subsequent date. In reply it is stated that in the year 1982 the pay-scale of all the categories of employees of the respondent-Corporation was revised and at that time the cadre of Junior Accountants/Account Clerks were bifurcated in two categories viz. one who had the qualification of B.Com and second who were not holding the said degree and the pay-scale of Rs.480-760 was granted only to those who had got the degree of B.Com and those who did not have the said degree were placed in the pay-scale of Rs.400-660. It is further stated that because of this his pay-scale was not revised to Rs.480-760. It is further mentioned that on 01.12.1989 he was granted the pay-scale of Rs.1200-2040 on account of his length of service.

In my opinion, no fault can be found with the action of the respondents. It can not be said that linking of educational qualifications with revision of pay-scales is an illegality. Once the petitioner was given the lower pay-scale on account of the fact that he did not have the qualification of B.Com as per the revision of 1982, his pay on revision would have to be fixed in the corresponding pay-scale. Further the allegation that the persons junior to the petitioner have been promoted or have been shown senior to him is also because of the fact that they were all holding the degree of B.Com when they were appointed. As regards respondent No.2, it has been stated

that he was senior to the petitioner having been appointed after the closure of Haryana Tanneries Ltd. where he was earlier working on a higher pay-scale.

The petition is dismissed.

(AJAY TEWARI)
JUDGE

March 25, 2015
Pooja Sharma-I