

Sr.No.334

IN THE HIGH COURT OF PUNJAB AND HARYANA CHANDIGARH

1. CWP-4249-1995(O&M)

Ravinder KumarPetitioner

vs.

State of Haryana and othersRespondents

2. CWP-15368-1994(O&M)

Decided on: **02.12.2015**

Narinder Pal and othersPetitioners

vs.

State of Haryana and othersRespondents

Coram: Hon'ble Mr. Justice Mahesh Grover

Present: Mr. Sumeet Sheokand, Advocate for the petitioners.
Mr.Ashok S. Chaudhary, Addl. A.G. Haryana.

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Mahesh Grover, J

By this order I shall dispose of both the above mentioned writ petitions as the commonality of facts are involved in both the cases. Facts are taken from CWP-4249-1995.

Petitioner in this petition prays that he be granted parity with other employees who were working as Work Pump Operators.

It has been averred in the petition that the petitioner was initially appointed as Mali-cum-Chowkidar on daily wages basis against a regular sanctioned post and rates prescribed by the DC from time to time and in 1991, he joined as the Water Works Sadaura as a Pump Operator against a regular sanctioned post. He has been admitted to salary of Rs.1024/- whereas the regular pay scale recommended was 950-1500. It is this scale that the petitioner desires which has been denied by the respondents by stating that the petitioner was not working against a regular vacancy and that services of the petitioner were engaged duly on temporary daily wages on various posts. No

appointment letter was issued to him and the payment is being made as per rates

prescribed by the DC for the assignments that have been given to the petitioner from time to time.

The petitioner has not denied the averments made by the respondents in their reply.

There is no appointment letter on record which could have thrown some light on the terms and conditions of the petitioner's engagement.

In the absence of this and in the wake of the stand of the respondents, it would be difficult to appreciate the prayer made by the petitioner with regard to parity of pay. If he is not a regular employee then he cannot claim a pay structure which is mandated by the Rules. Same is the position in the connected case i.e CWP-15368-1994 wherein the petitioners claim regular pay scale of 1200-2040 for petitioner no.1 and 750-940 for petitioners no.2 and 3.

For the aforesaid reasons, both the writ petitions being devoid of any merit are hereby dismissed.

02.12.2015
mamta

(MAHESH GROVER)
JUDGE