

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

**CWP- 25573-2013 (O&M)
Date of Decision : 17.07.2015**

Sita Ram

..... Petitioner

versus

State of Haryana & Ors.

..... Respondents

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. R.S.Sangwan, Advocate
for the petitioner.

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)

The petitioner has worked as Work Supervisor since the year 1982 on work charge basis. At one stage all the Work Supervisors were given the pay scale of Rs.1200-2040 revised to Rs.4000-6000. Later on a complaint was received that at the time of his recruitment the petitioner had wrongly represented himself to be matriculate. On preliminary inquiry this fact having been corroborated his pay scale was reduced.

Hence the present petition.

As per learned counsel even in the impugned order it has been accepted that at the time when the petitioner was recruited there was no requirement for Work Supervisors to be matriculate and therefore, his pay scale could not have been reduced on the ground that he was a non-matriculate.

Learned Addl. A.G., Haryana is not in a position to deny the fact that at the time when the petitioner was recruited in the year 1981 there was no requirement of matriculation for the post of Work Supervisor. He has however argued that the petitioner had furnished false information. In my opinion this argument will not suffice. In case the petitioner has furnished any false information he may be subject to disciplinary action but his pay scale cannot be reduced on the ground that he does not have the qualification of matriculation.

In the circumstances the impugned order is set aside. However liberty is granted to the respondents to proceed against the petitioner departmentally if so advised.

Petition stands disposed of.

Since the main case has been decided, the Civil Misc. Application, if any, also stands disposed of.

17.07.2015

Pooja Sharma-I

**(AJAY TEWARI)
JUDGE**