

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

LPA No.276 of 2014(O&M)

Date of decision:3.12.2015

Ajaib Singh and others

....Appellants

VERSUS

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE HEMANT GUPTA

HON'BLE MRS. JUSTICE RAJ RAHUL GARG

Present: Mr. G.L. Bajaj, Advocate for the appellants.

HEMANT GUPTA, J.(Oral)

The present Letters Patent Appeal under Clause X of the Letters Patent is directed against an order passed by learned Single Bench of this Court on 26.07.2013 whereby the writ petition filed by the appellants claiming parity in pay with the Drivers working with the Punjab Roadways and Pepsu Road Transport Corporation and that of lack of their promotional avenues remained unsuccessful.

Learned Single Judge has rightly found that in the absence of any conscious decision taken to equate the post of Driver in the Health Department with that of Driver under Punjab Roadways/Pepsu Road Transport Corporation, the petitioners have no right to claim the pay scale granted to the Drivers of Punjab Roadways or the Pepsu Road Corporation. The learned Single Judge has found that the appellants are operating light and medium vehicles though occasionally operate mobile bus unit. Thus,

the nature of work of the Drivers engaged by the Punjab Roadways or Pepsu Road Transport Corporation is different as they are driving buses on long routes. Since at no stage, the Drivers of the Health Department were put at par with Drivers with Punjab Roadways or Pepsu Road Transport Corporation, the appellants have been rightly not granted parity in pay.

In respect of promotional avenues, learned Single Judge has issued direction to the State to consider the Assured Career Progression Scheme formulated in respect of employees who have less or no chances of promotion.

In view of the said fact, we do not find any merit in the present Letters Patent Appeal.

Dismissed.

(HEMANT GUPTA)
JUDGE

DECEMBER 3, 2015
‘D. Gulati’

(RAJ RAHUL GARG)
JUDGE