

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

LPA No. 476 of 2015
DATE OF DECISION : 10.07.2015

Tarlochan Singh and others

.... APPELLANTS

Versus

The Punjab State Electricity Board and another

.... RESPONDENTS

CORAM :- HON'BLE MR. JUSTICE SATISH KUMAR MITTAL
HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

Present : Mr. Ramesh Goyal, Advocate, for the appellants.

SATISH KUMAR MITTAL, J. (Oral)

The instant intra-court appeal under Clause X of the Letters Patent has been filed against the order dated 24.04.2014 passed by the learned Single Judge, whereby the writ petition (CWP No.13234 of 1993) filed by Tarlochan Singh (appellant No.1) and Ranjit Singh (legal heirs of appellants No.2 to 4), appointed on work-charge basis, claiming pay scale of ₹ 620-1200 has been dismissed.

Both the petitioners in the writ petition claimed the aforesaid pay scale stating that a similarly situated person, namely Sneh Gupta, who was also appointed as work-charge Teacher was getting the pay scale of ₹ 620-1200, whereas they were given the pay scale of ₹ 570-1080.

The learned Single Judge dismissed the writ petition, while coming to the conclusion that as far as both the petitioners are concerned, they were appointed on work-charge basis against the vacant posts of

Nursery Teachers in the pay scale of ₹ 570-1080, whereas Sneha Gupta was appointed on work-charge basis against vacant post of Social Study Teacher in the pay scale of ₹ 620-1200. It has been held that when the petitioners were appointed on work-charge basis, no vacant post of Social Study Teacher was lying vacant. At that time, only the posts of Nursery Teachers were vacant and against those posts, the petitioners were appointed in the pay scale of ₹ 570-1080. It is not disputed that the pay scale of Nursery Teacher is ₹ 570-1080, which was granted to the petitioners.

A contention has been raised by learned counsel for the appellants that both the petitioners were appointed as Nursery Teachers on work-charge basis, but they were performing the duties of higher post.

We do not find any substance in the aforesaid contention. There is no such order passed by the authority deputing the petitioners to perform the duties of higher post. Merely on the basis of an averment, no such finding can be made. Learned Single Judge has also not recorded any such finding. Therefore, we do not find any illegality in the impugned order passed by the learned Single Judge.

No merit. Dismissed.

(SATISH KUMAR MITTAL)
JUDGE

July 10, 2015
ndj

(HARINDER SINGH SIDHU)
JUDGE