

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

RSA No.807 of 2015 (O&M)

Date of decision : 19.03.2015

The State of Haryana & anotherAppellants
versus

Rajinder Singh ...Respondent

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. D.R. Singla, DAG, Haryana.

RITU BAHRI, J (Oral)

CM-2392-C-2015

There is a delay of 505 days' in filing the present appeal.

For the reasons stated in the application, the application is
allowed and the delay of 505 days in filing the appeal is condoned.

RSA-807-2015

The appellants challenge in this appeal judgment and
decree dated 16.07.2013 passed by the District Judge, Jind in Civil
Appeal No.24 of 10.02.2012 whereby the appeal of the appellants has
been dismissed; for acceptance of appeal, setting aside impugned
judgment and decree dated 03.01.2012 passed by the Civil Judge (Sr.
Division), Jind and dismissal of suit with costs through out.

Counsel for the appellants submits that necessary payment
in compliance of the judgment and decree dated 16.07.2013 has been
made.

The plaintiff was seeking payment of pay scale of Rs.4000-6000 with effect from 01.01.1997 and pay scale of Rs.5450-800 with effect from 01.01.2007. The plaintiff was appointed on the post of Helper and was later on as Fitter Grade-II. As per the notification Ex.D9, the plaintiff was seeking payment of revised pay scale without insisting on the condition that at the time of initial appointment he was matric with ITI as per the requirement of the notification Ex.D9. Juniors to the plaintiff were granted revised pay scale who were possessing the qualification of matric with ITI. This issue has been clarified in a number of writ petitions and by the Hon'ble Supreme Court in the case of **Commissioner Secretary to Government of Haryana Vs. Ram Saroop & ors. 2007 Vol. 2 SCT 476.**

Since the appellant has now complied with the judgment and paid the requisite amount of pay scale, this appeal is dismissed.

19.03.2015
Vinay

(RITU BAHRI)
JUDGE