

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.12993 of 1997

Date of Decision: 11.04.2016

Harbhajan Singh

... Petitioner

Versus

Punjab State Electricity Board
and others

... Respondents

CORAM:- HON'BLE MR. JUSTICE RAJIV NARAIN RAINA

Present: Mr. Ashish Grover, Advocate,
for the petitioner.

None for the respondents.

1. To be referred to the Reporters or not?
2. Whether the judgment should be reported in the Digest?

RAJIV NARAIN RAINA, J.(Oral)

1. This is an old case of 1997 shown in the regular cause list to be taken up for final disposal being amongst the longest pending cases on my board of the present roster which is sufficient notice of appearance for the respective parties to attend to the case. Since no one appears for respondents this Court is not compelled to await appearance of each and every counsel engaged who would have deemed notice of the proceeding inasmuch as the matter would be heard on merits and no frivolous adjournment would be granted. Hence the respondents are ordered to be proceeded against ex parte. Heard the learned counsel present and who is prepared with his case and ready with the arguments.

2. The challenge in this petition is to the order dated July 10, 1997 (P-17) whereby the petitioner has been informed that as per office order

dated February 28, 1994 being Circular No.8 of 1994 pay scale of Rs.2200-4250 after 16 years of service towards time bound promotion without the initial start of Rs.2400/- will be given only to diploma-holder Junior Engineers-II who have cleared the departmental examination and are eligible for promotion as Assistant Engineers. The petitioner was promoted from lower ranks and possessed only the ITI certificate and, is therefore, not entitled to the higher pay scale on completion of 16 years of service. It is well settled that pay scales can be reasonably classified and differentiated on the basis of qualifications. The legal proposition is too well settled and needs no weight of legal precedents to be noticed only to burden this short order. However, one such basic authoritative ruling of the Constitution Bench of the Supreme Court and which is oft quoted is in **State of Jammu & Kashmir v. Triloki Nath Khosa & Ors**, (1974) 1 SCC 19 which may profitably be read in the present context.

3. In view of the settled legal position, the prayer in the petition is wholly misconceived and devoid of merit and the petition is liable to be rejected.

4. No merit. Dismissed.

(RAJIV NARAIN RAINA)
JUDGE

11.04.2016
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