

In the High Court of Punjab and Haryana at Chandigarh

**CWP No. 18708 of 1997**  
**Date of Decision: March 22, 2017**

*Devi Chand*

*... Petitioner*

*Versus*

*State of Haryana and others*

*... Respondents*

**CORAM: HON'BLE MR. JUSTICE P.B. BAJANTHRI**

Present: Mr. Wazir Singh, Advocate for  
Mr. Kulwant Singh, Advocate,  
for the petitioner.

Mr. Hitesh Pandit, Addl. A.G., Haryana.

**P.B. Bajanthri, J. (Oral)**

1. In the present petition, petitioner has questioned the validity of order dated 10.02.1997 by which the petitioner's claim regarding extending higher pay scale of Rs.1200-2040 has been denied.
2. The petitioner was appointed on *ad hoc* basis and his services have been regularized in the post of Mali-cum-Chowkidar. Learned counsel for the petitioner submitted that respondents have extracted work from the petitioner against the post of Water Pump Operator Grade-II. It is undisputed that the petitioner has the qualification of National Trade Certificate vide Annexure P/1.
3. In view of these facts and circumstances, regularization of the petitioner against the post of Mali-cum-Chowkidar may not be fair. When the fact that the respondents have extracted work in the cadre of Water Pump Operator Grade-II and petitioner fulfills the requisite qualification

for the post of Water Pump Operator Grade-II, hence he is entitled for regularization in the cadre of Water Pump Operator Grade-II in the pay scale of Rs.1200-2040. The petitioner's service particulars may be taken into consideration including the fact that the petitioner fulfills the requisite qualification prescribed for the post of Water Pump Operator Grade-II. The competent authority is directed to take a decision to regularize the petitioner's services in the cadre of Water Pump Operator Grade-II and extend all the benefits including service benefits so also difference of pay be calculated and disbursed to the petitioner. Such action shall be completed within a period of four months from today.

Accordingly, instant writ petition stands disposed of.

**March 22, 2017**  
vkd

**[P.B. Bajanthri]**  
**Judge**

Whether speaking / reasoned : Yes

Whether reportable : No