

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.9929 of 1998 (O&M)
Date of Decision:-08.05.2017.

Prem Chand

.....Petitioner

Versus

HSEB and others

.....Respondents

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

Present: None for the petitioner.

Mr. Arun Kumar, Advocate for the respondents.

P.B. BAJANTHRI, J. (Oral)

Matter called twice. None appears for the petitioner.

Heard learned counsel for the respondents.

In the instant petition, the petitioner has sought for a direction to the respondents to fix the basic pay as ₹ 1000/- from 1.8.1994 instead of ₹ 950/- as per the Government instructions. In this regard, the petitioner submitted representation on 3.8.1994. The same was rejected on 8.5.1998 (Annexure P-3). The same is not under challenge.

The petitioner was initially appointed as a work charge employee in the year 1983 and he was freshly appointed on 1.8.1994. In the meanwhile, the respondents have brought a policy decision relating to regularization of daily wage workers/residual work charge employees on

workers. In the policy, it is indicated how the pay is required to be fixed in respect of persons whose services have been regularized for both daily wage and other work charge mate. Perusal of the policy read with the decision taken on 8.5.1998 by the competent authority vide Annexure P-3, it is evident that the petitioner is not entitled for fixation of ₹ 1000/- on the score that he had been extended the benefit of 10 increments @ ₹ 150/- with reference to basic pay of ₹ 800/- and in the pay scale of ₹ 800-1150. Pay protection is available only for such of those employees who are drawing higher pay than a sum of ₹ 1150/-. Thus, there is no infirmity in the order dated 8.5.1998 vide Annexure P-3. The petitioner has not made out a case so as to interfere in respect of fixation of pay by the official respondents.

Accordingly, petition stands dismissed.

(P.B. BAJANTHRI)
JUDGE

May 08, 2017.

sandeep sethi

Whether speaking/reasoned:-

Yes / No

Whether Reportable:-

Yes / No.