

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No. 13424 of 2017

Date of Decision: 03.07.2017

Nirmal

.....Petitioner

Vs.

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr. Saurabh Bajaj, Advocate,
for the petitioner.

AMOL RATTAN SINGH, J. (ORAL)

Learned counsel for the petitioner relies upon a judgment of this Court in CWP No. 5492 of 1997 decided on 20.11.2013 (Annexure P-4), to submit that the petitioners' post of Restorer, being a promotional post for the post of Library Attendant, both the posts cannot carry the same pay scale and as such, the pay scale for the post of Restorer should be higher.

This petition is disposed of with a direction to respondents no. 1 and 2 (whoever is the competent authority), to treat this writ petition as a representation on behalf of the petitioner and to pass a speaking order thereon, within a period of three months from the date of receipt of a certified copy of this order, taking into consideration the aforesaid judgment of this Court, as also the civil services rules applicable.

Needless to say, if in the relevant civil services rules, or pay rules, there is no bar on promotional and feeder cadre posts being in the same pay scale, reference to such rule/rules shall be given in the order to be passed; however, quoting also as to how many promotional increments are available if promotion is

made to a higher post, if such post carries the same pay scale as the feeder post.

July 03, 2017
nitin

(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned	Yes
Whether Reportable	No.