

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

CWP No. 26342 of 2016
Date of decision: 01.08.2017

Dharampal and another

....Petitioner(s)

Versus

Haryana State Federation of Cooperative Sugar Mills Ltd. and another
...Respondent(s)

CORAM: HON'BLE MR. JUSTICE G.S.SANDHAWALIA

Present: Mr. Sunil Kumar Bhardwaj, Advocate,
for the petitioners.

G.S.SANDHAWALIA, J. (Oral)

The petitioners challenge the order dated 06.06.2015 (Annexure P-9) whereby, the Managing Director of The Jind Cooperative Sugar Mills Ltd. has rejected the representation of the petitioners whereby, they had objected to the grouse of reduction in the grade pay. The reasoning given by the said respondent was that the petitioners were posted as Cane Clerks on seasonal permanent posts. They had given representations that they be adjusted on regular posts of Lab Boy and had given their consent that they may be adjusted/demoted to the post of regular kamdar/lab boy from the post of seasonal cane clerk and they would have no objection if they were given this post and grade pay.

Accordingly, in view of the consent given, the objection which had been raised and which was to be decided in view of the fact that the petitioners had earlier approached this Court and got directions to decide their objections, the said respondent rejected their claim. It was also noted

that they were appointed as permanent lab boys from the post of seasonal clerks on the basis of their application and that they were given the grade pay of that post as the first ACP was to be revised after 10 years of service and second grade pay was to be revised after 20 years of service. They were given the basic grade pay of that grade which was legal as per the letter dated 11.10.2010 of the Haryana State Cooperative Sugar Mills Federation Ltd.

The reasoning which has, thus, been given is apparent on the basis of the consent which the petitioners themselves had given to take the benefit of regularization at a lower post and, therefore, their grouse now that their grade pay had been reduced from Rs.3,200/- to Rs.1,650/- is without any basis. The said consent has neither been placed on record nor there is any such averment that the same was taken by the management by any coercion or any unfair labour practice.

In such circumstances, the order impugned does not suffer from any infirmity which would warrant interference and the present writ petition is accordingly dismissed in limine.

01.08.2017
shivani

(G.S. SANDHAWALIA)
JUDGE

Whether reasoned/speaking

Yes/No

Whether reportable

Yes/No