

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

CWP No.22953 of 2015
Date of decision: 23.04.2018

Sushil Kumar

... Petitioner

Versus

State of Haryana and others

... Respondents

CORAM: HON'BLE MR. JUSTICE ARUN PALLI

Present: Mr. Parveen Bhardwaj, Advocate for the petitioner.
Mr. RK Doon, AAG, Haryana.
None for respondent No.7, despite service.

ARUN PALLI, J. (Oral)

The petitioner was appointed as Water Pump Operator on 28.06.1984, in the Public Health Department, District Karnal. Subsequently, his services were regularized w.e.f. 01.04.1993, and he was transferred to Kurukshetra. Thus, he continued to serve the respondents as Water Pump Operator Grade II. On the contrary, respondent No.7 was appointed on 14.01.1985, but his services were also regularized w.e.f. 01.04.1993. In terms of the seniority list, issued by the respondent-department, dated 20.11.2005, the petitioner is shown at serial No.184 and respondent No.7 at No.195. But despite that respondent No.7 has already been granted the basic pay of Rs.5750/- w.e.f. 01.04.2003, as the 1st ACP scale, whereas the petitioner has been granted the basic pay of Rs.5150/- w.e.f. 01.04.2003. Thus, it is urged that the respondent-authorities are required to step up the pay of the petitioner at par with respondent No.7. Particularly in view of the

decision of the Supreme Court in Special Leave Petition No.20264 of 2004.

The petitioner purports to have repeatedly represented to the respondent-authorities in this regard, but to no avail.

Having argued the matter at some length, learned counsel for the petitioner and respondents No.1 to 6 have reached a consensus; that the petition be disposed of, at this stage, only with a direction to the official respondents to consider and decide the claim/grievance of the petitioner and pass appropriate orders in accordance with law.

The petition is accordingly disposed of in the above terms.

Respondent-authorities shall pass the appropriate orders, as indicated above, within a period of three months from today. And in the event the claim of the petitioner is declined, for any reason, the respondent-authorities shall pass a comprehensive order assigning reasons in support thereof.

23.04.2018

Rajan

(Arun Palli)
Judge

Whether speaking / reasoned:
Whether Reportable:

YES
NO