

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

**CWP No.23433 of 2016
Date of decision: 10.10.2018**

Paramjeet Singh

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM:HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Ramesh Goyat, Advocate,
for petitioner.

Mr. Kiranpal Singh, AAG, Haryana.

Ritu Bahri, J.

Petitioner is seeking setting aside of the order/letter dated 01.04.2016 (Annexure P-6) issued by respondent No.3-General Manager, Haryana Roadways, Hisar, whereby benefit of stepping up of pay of petitioner at par with his juniors, has been denied.

While considering the case of the petitioner, it has been observed that he (petitioner) was appointed as Sub Inspector on 01.04.1985 and his services have been regularized w.e.f. 01.01.1991 in terms of Haryana Government Notification dated 28.02.1991 on completion of two years of service as on 31.12.1990. One Balwan Singh was appointed as Conductor on 01.08.1985 and his services have been regularized on 29.02.1986. Ved Parkash was appointed as Conductor on 19.09.1985 and his services have been regularized on 15.05.1986. In this backdrop, there is a difference in the pay of the petitioner and other employees.

Since the petitioner and other employees were regularized on different dates, there was difference of ACP scales granted to them. In view of the said fact, the legal notice sent by the petitioner has been dismissed.

Upon notice, stand taken by the respondents in their written statement, is that the petitioner was appointed as Conductor on 01.04.1985 and he remained out of service on many occasions and finally, his services were regularized on 01.01.1991 as he completed two years of service on 21.12.1990. Learned State counsel has produced copy of order dated 20.02.2009, where the petitioner is shown to have been regularized w.e.f. 01.01.1991.

Learned State counsel, on instructions from Mr. Sandeep Kumar, General Manager, Haryana Roadways, Hisar, has informed that civil suit No.10769 of 2013, filed by petitioner, challenging the order of regularization dated 01.01.1991 was dismissed on 27.03.2015.

Keeping in view the date of regularization and dismissal of the civil suit, petitioner cannot claim parity with the persons, who are senior to him. This is so said because their services have been regularized prior to him.

In view of the above, no ground is made out to quash the order/letter dated 01.04.2016 (Annexure P-6).

No merits.

Dismissed.

10.10.2018
ajp

(RITU BAHRI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No