

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

**CWP No.29279 of 2018
Date of decision: 20.11.2018**

Saurabh Goel

.....Petitioner

Versus

State of Haryana and others

.....Respondents

CORAM:HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Parminder Singh, Advocate,
for the petitioner.

Ritu Bahri, J.

Petitioner is seeking direction to the respondents to grant him notional benefit of step up of pay and seniority w.e.f. 20.05.2009.

Vide order dated 16.09.2008 (Annexure P-1), Government of Haryana created 75 posts of Municipal Engineers for the purpose of recruitment in the Municipal Council/Committees of the State under Haryana Municipal Service Rules, 1982. Out these posts, 50% were to be filled by way of direct recruitment and remaining 50% by way of promotion. The petitioner was appointed against the direct quota after taking interview in the month January, 2012 and appointment letter was given on 20.09.2012. As per petitioner, these posts were created in September, 2008, but appointments could not be made before 2012. At the same time, 37 posts of the promotional quota were filled up on 20.05.2009. His grievance is that 38 posts of direct quota were created in the year 2008, but he was appointed in the year 2012. Therefore, his salary should be stepped up at par with the Municipal Engineers, who were promoted on 20.05.2009.

Reliance has been placed on the cases of Satpal Singh and Sunder Singh,

who were promoted as Municipal Engineers on 14.01.2014, but the department granted them the benefit of deemed date of promotion w.e.f. 19.04.2012 vide order dated 08.03.2018 (Annexure P-4).

After hearing learned counsel for the petitioner, this petition is liable to be dismissed. The petitioner being appointed by way of direct recruitment on 20.09.2012 was not even part of the cadre of Municipal Engineers on 20.05.2009 and hence, he cannot get the benefit of stepping up of pay at par with the Junior Engineers (promotee quota) who were promoted on 20.05.2009 and were already in service prior to the appointment of the petitioner.

No merits.

Dismissed.

(RITU BAHRI)
JUDGE

20.11.2018
ajp

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