

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.**

CWP No.8911 of 2017

Date of Decision:-02.04.2018

Jaspinder Singh.

.....Petitioner.

Versus

State of Punjab & Ors.

.....Respondents.

CORAM:- HON'BLE MR. JUSTICE JASWANT SINGH

Present:- Mr. Sharwan Sehgal, Advocate for the Petitioner.

JASWANT SINGH, J.(ORAL)

Petitioner is stated to have been born around the year 1970 and possesses the qualification of Matric and a two years ITI Diploma in Electrical Stream. He also claims to be possessing one year National Apprenticeship Training Certificate. He claims that on completion of three years of engagement on daily wage basis, his services were regularized as a Tubewell Pump Operator by the Municipal Corporation, Ludhiana w.e.f. 22.10.2001 in the pay scale with basic pay of Rs.3120/-. He is claiming placement in the pay scale of Rs.4550-7220 w.e.f. his date of regularization as per the recommendations of the 4th Pay Commission w.e.f. 01.01.1996. It is claimed that the pay scales attached to the post of technical nature including that of the Pump Operator were linked to the educational qualifications since the report of the pay commission in the year 1968.

vide resolution no.27 dated 18.09.2015 has recommended the placement of the petitioner in the pay scale of Rs.160-400 w.e.f. 1968 and the said resolution no.254 dated 18.09.2015 has not been approved by the Government vide order dated 7/09.10.2015 (P-4). CWP No.931 of 2016 impugning the order dated 7.10.2015 passed by the government was disposed of vide order dated 18.01.2016 passed by a learned Single Judge with a direction to the Authorities to pass a speaking order. A fresh speaking order dated 30.03.2016 (P-6) has been passed by the Director Local Government, rejecting the claimed placement in the higher pay scale of Rs.160-400 from a date on which concededly the petitioner was not even born.

At the time of hearing, learned Counsel for the petitioner prays for permission to withdraw the present petition with liberty to file fresh one by placing on record the Statutory Rules governing the post of Pump Operators, Recommendations of the Pay Commission since the time of initial recommendation uptill claimed qua grant of technical grade linked to educational qualification in support of his claim, which concededly does not appear to be meritorious in the light of the material placed on record.

Dismissed as withdrawn with aforesaid liberty.

(JASWANT SINGH)
JUDGE

April 02, 2018
Vinay

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No