

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

LPA-1253-2009

Date of Decision: July 16, 2019

Baljit Singh

...Appellant

Versus

State of Haryana and others

...Respondents

**CORAM: HON'BLE MR. JUSTICE KRISHNA MURARI, CHIEF JUSTICE.
HON'BLE MR. JUSTICE ARUN PALLI, JUDGE.**

Present: Mr. Arjun Sheoran, Advocate, for the appellant.

Mr. Deepak Balyan, Addl. AG, Haryana.

KRISHNA MURARI, C.J. (ORAL)

This intra-Court appeal, under Clause X of the Letters Patent, is directed against the judgment and order dated 03.07.2009, passed by the learned Single Judge, dismissing the writ petition filed by the appellant herein, seeking parity in the pay scale with the drivers working in Civil Department of the State of Haryana.

Learned Single Judge dismissed the writ petition vide order impugned, finding that there is no equivalence between the petitioner/appellant and those working in the Civil Department and, as such, the principle of 'equal pay for equal work' does not apply.

The same issue, whether parity of pay can be given to Constables in Police Department of Haryana Government, who were deputed to work either as Wireless Operators, Drivers or Messengers in the Telecom Wing of the Police Department, which was applicable to the

drivers employed in the Civil Department of the Haryana Government, travelled up to Hon'ble the Apex Court in **Civil Appeal No. 6328 of 1995** (**State of Haryana and others v. Jagat Singh and others**). Vide judgment and order dated 13.08.1997, Hon'ble the Apex Court finding that there were vital differences between the two cadres and they cannot be compared with each other for the purpose of equal pay for equal work, set aside the order passed by this Court granting pay parity.

The issue raised in this appeal is squarely covered by the judgment of Hon'ble the Apex Court in the case of Jagat Singh (supra) and there is hardly any scope of interference in the impugned order passed by the learned Single Judge. Accordingly, this appeal stands dismissed.

(KRISHNA MURARI)
CHIEF JUSTICE

(ARUN PALLI)
JUDGE

July 16, 2019

Pk Kapoor

Whether Speaking/Reasoned: YES / NO

Whether Reportable: YES / NO