

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA
AT CHANDIGARH

LPA-950-2017 (O&M)
Date of Decision: December 11, 2019

Ram Rattan and others

... Appellants

Versus

State of Haryana and another

... Respondents

CORAM: HON'BLE MR. JUSTICE RAVI SHANKER JHA, CHIEF JUSTICE
HON'BLE MR. JUSTICE RAJIV SHARMA

Present: Mr. Madan Pal, Advocate,
for the appellants.

Ravi Shanker Jha, Chief Justice (Oral)

This Letters Patent Appeal has been filed by the appellants-petitioners being aggrieved by judgment dated 13.12.2016 passed in CWP-23408-2011 whereby the petitioners, who are working as Sectional Officers (Civil) and Assistant Engineers (Civil) in the Fisheries Department, Haryana, have claimed parity in pay as well as re-designation of posts with Junior Engineers working in the three wings of Public Works Department.

We have heard learned counsel for the appellants and have perused the impugned judgment passed by learned Single Judge.

The learned Single Judge after taking into consideration the decision of the Pay Anomaly and Grievance Committee, which is competent to

decide such issues under the Haryana Civil Services (Revised Pay) Rules, 2008 wherein the Pay Anomaly and Grievance Committee has considered the issue raised by the petitioners and has rejected the same on merits vide its decision dated 07.01.2011. The learned Single Judge has also taken into consideration the fact that the prayer of re-designation has also not been considered and rejected by the competent authority on 21.09.2016 vide Annexure R-1. The learned Single Judge placing reliance on several decisions of the Supreme Court in *Union of India vs. Tarit Ranjan Dass (2003) II SCC 658*, *Union of India vs. Pradip Kumar Dey, (2000) 8 SCC 580*, *State Bank of India vs. M.R. Ganesh Babu (2002) 4 SCC 556*, *State of W.B. vs. Hari Narayan Bhowal, (1994) 4 SCC 78*, *State of U.P. vs. J.P. Chaurasia, (1989) 1 SCC 121*, *State of M.P. vs. Pramod Bhartiya (1993) 1 SCC 539*, *Shyam Babu Verma vs. Union of India (1994) 3 SCC 1*, *Secretary, Finance Department and others vs. West Bengal Registration Services Association and others, 1992(2) SLR 82*, *State of Haryana and others vs. Haryana State Personal Assistant Association and others* has observed that once the expert body has considered and rejected the claim of the appellants, the Court does not have the expertise to deal with such issue and the same cannot be considered. The learned Single Judge has also considered the difference in the responsibility, duties, etc. of the two posts and not found any merit in the contention of the learned counsel for the petitioner.

We are of the considered opinion that the learned Single Judge has rightly taken into consideration the aforesaid aspects specifically the decision of the expert body, namely, the Pay Anomaly and Grievance Committee which has rejected the claim of the appellants.

In the circumstances, we do not find any perversity or illegality in the order passed by the learned Single Judge warranting interference in it.

Accordingly, present appeal is dismissed.

Ravi Shanker Jha)
Chief Justice

December 11, 2019
vkd

(Rajiv Sharma)
Judge

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