

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

CWP-2467-2021(O&M)

Date of decision: 20.04.2021

Shiv Kumar

.....Petitioner

Versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr.Vijay Pal, Advocate, for the petitioner

ANIL KSHETARPAL, J. (ORAL)

Through this writ petition, the petitioner prays for the following substantive reliefs:-

“(i) A writ in the nature of mandamus directing the respondents to grant the pay scale of Rs.15600-39100+ GP 5400 to the petitioner from the date when the same was granted to the similarly situated Head Pujari.

(ii) A writ in the nature of mandamus directing the respondent no.2 to decide legal notice dated 21.08.2020 (P-7) as per law.

(iii) A writ in the nature of mandamus directing the respondents to pay the arrears of pay along with interest @ 18% per annum.

(iv) A writ in the nature of mandamus directing the respondents to redesignate the petitioner from Head Pujari to Principal Head Pujari.”

Learned counsel for the petitioner admits that as per the service rules, there is no provision for grant of pay scale of 16000-39100+ GP 5400, however, he claims that since Sudarshan Kumar has

been granted the aforesaid scale, therefore, the petitioner is also entitled to the same pay scale.

As per the case of the petitioner, he was appointed as a Pujari in the year 1997 and thereafter promoted as the Head Pujari in October, 2013. Sh. Sudarshan Kumar is admittedly senior to the petitioner. He was designated as the Principal Head Pujari on 08.01.2016. In the absence any provision in the service rules, the petitioner has no right to seek a writ of Mandamus directing the respondents to grant a particular pay scale, particularly, when Sudarshan Kumar is senior to the petitioner. Hence, no ground to issue the writ, as prayed for, is made out.

Dismissed.

20.04.2021
rekha

(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned Yes / No

Whether Reportable Yes / No