

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

Sr. No.578

CWP-15223-1999 (O&M)

Date of decision: May 19, 2022

Sanjeev Chadha and Others

...Petitioners

Versus

State of Haryana and Another

...Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present: None for the petitioners.

Mr. R.D. Sharma, Deputy Advocate General, Haryana.

ARUN MONGA, J. (ORAL)

Petition was filed in the year 1999, *inter alia*, for issuance of a writ in the nature of certiorari to quash order dated 08.08.1994 (Annexure P-2) and order dated 03.12.1998 (Annexure P-6) issued by respondent No.1 to the extent that benefit of revision of pay scale of Class-I and Class-II Officers having degree in Hydrology, Statistics, Economists etc. working in Hydrology, Statistical and General Cadre would not be extended to those who were possessing qualification of M.Sc. Geology, M.Sc. Geo-Physics, B.Sc. Mechanical Engineering in the Ground Water Cell of the Respondent department in the matter of grant of selection grade of Rs.2200-4000 and seeking directions to the respondents not to discriminate the petitioners in the matter of grant of revised scale of pay with selection grade of Rs.2200-4000 with effect from the date the same had been granted to other similarly situated Class-I and Class-II Officers in other Wings/Cells of the respondent department.

2. Petition was filed in the year 1999 and has been lying admitted since 06.11.2001.

3. When called out for hearing, there is no representation on behalf of petitioners. It seems that by sheer effluxion of time and pendency of the writ petition for more than 22 years before this Court, it has been rendered infructuous and/or petitioners seem to have lost interest in pursuing the same.

4. In any case, it appears that even on merits, claim of petitioners is not admissible in view of the following stand taken in preliminary submissions of the written statement filed on behalf of respondent Nos.1 and 2, which is reproduced herein for ready reference:

“That the present writ petition has been filed with a prayer for quashing impugned orders dated 8.8.94 (Annexure P-2) and order dated 3.12.98 (Annexure P-6) to the extent that benefit of revision of pay scale of Class-I and II Officers having degree in Hydrology/Statistics, Economics etc. working in the Hydrology Statistical and General Cadre has not been extended to those who were possessing qualification of M.Sc. Geology, M.Sc. Geo-physics, B.Sc. Mechanical Engineering in the Ground Water Cell of respondent department in the matter of grant of selection grade of Rs.2200-4000 from the date the same has been granted to other similarly situated Class-I and II Officers. In this way the petitioner are comparing themselves with the employees of other cadres whose qualification, mode of recruitment, nature of duties, promotional avenues are altogether different. The service conditions of the petitioners are governed under the service Rules i.e. Haryana Agricultural Group-B Service Rules 1995 and as per provision contained in these service rules, it is clear that the post of the petitioners is not comparable with the employees of other cadre. From the perusal of Govt. Letter dated 8.8.94 (Annexure P-2) it is clear that the intention of State Govt. was to revise the pay scales of the officers of Agriculture and Horticulture Departments whose qualification is degree in Agriculture Science or Engineering.”

5. I am in agreement with the stand taken by the respondent-State as aforesaid. The same in any case has not been controverted either by way of replication or by way of any additional affidavit.

6. In view of the aforesaid, no ground for interference is made out. Petition is dismissed.

7. Since the main case has been decided, pending civil miscellaneous application, if any, also stands disposed of.

(ARUN MONGA)
JUDGE

May 19, 2022

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Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No