

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

CWP No.4576 of 2000 (O&M)

Date of decision: 23.05.2022

Des Raj and others

...Petitioners

Vs.

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present: Mr. Nitish Sharma, Advocate,
for Mr. Jai Vir Yadav, Advocate, for the petitioners.

Mr. R.D.Sharma, DAG, Haryana.

ARUN MONGA, J. (ORAL)

Petition herein, *inter alia*, is for issuance of a writ in the nature of mandamus directing the respondents to grant the pay scale of Rs.4000-6000 to the petitioners from 01.01.1996 as given to the Patwaris working in the Revenue Department.

2. Petition was admitted on 27.05.2002 and has been lying admitted ever since. When called out for hearing, learned counsel is unable to assist the Court for lack of instructions. Learned counsel for the petitioners states that despite attempts, his office could not contact the petitioners.

3. It seems that by sheer effluxion of time and pendency of the writ petition for more than 20 years before this Court, either it has been rendered infructuous or even otherwise the petitioners seem to have lost interest in pursuing the same.

4. In any case, it appears that even on merits, claim of the petitioners is not admissible in view of the following stand taken in para

No.1 of the reply, which is reproduced herein below for ready reference:-

“1. That in the present writ petition, the petitioners who are working as Patwaris in the Panchayat Department Haryana are claiming pay scale of Rs.4000-6000 w.e.f. 01.01.1996 at par with the Pataris working in the Revenue Department. In this regard, it is submitted that initially, the petitioners were appointed in the pay scale of Rs.400-10-490/540-15-600-EB-20-660 with usual allowances. The pay scale was subsequently revised to Rs.950-1500 and Rs. 3050-4590. At the time of appointment, this pay scale was accepted by the petitioners. Now, State Government has revised the pay scale of Patwaris working in Revenue Department and has given them the pay scale of Rs.4000-6000 w.e.f. 01.01.1996. The claim of the petitioners, who are working in Panchayat Department, for pay at par with Revenue Patwaris was examined and it was found that the duties of Revenue Patwaris are of arduous nature and very different from that of the petitioners working in the Development and Panchayat Department. Patwaris of these two Departments are governed by separate set of statutory Rules. Moreover, promotional avenues of patwaris working in the Development and Panchayat and Revenue Department are different. Thus, the petitioners are not entitled to the pay scale of Rs.4000-6000.”

5. I am in agreement with the stand taken by the respondents as aforesaid. Neither any replication has been filed to the afore noted stand of the respondents nor any additional affidavit of any kind to controvert the same.

6. In view of the aforesaid, no grounds are made out to interfere.

7. Dismissed.

23.05.2022
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(ARUN MONGA)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No