

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(211)

CWP-19985-2015
Date of decision:- 02.02.2023

Narender Kumar

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. Rajinder Singh Malik, Advocate
for the petitioner.

Mr. Saurabh Mohunta, DAG, Haryana.

SUVIR SEHGAL, J. (Oral)

Claim of the petitioner is for re-fixation of his pay at par with that of his junior-respondent No.4. Petitioner has also sought quashing of impugned order dated 24.07.2015, Annexure P-7, passed by respondent No.3, whereby the claim of the petitioner has been declined.

Heard counsel for the parties.

Much water has flown in the interregnum. It has come on the record that respondent No.4 was granted a higher pay scale on account of the fact that he was a matriculate and possessed an ITI certificate. This benefit had been granted to respondent No.4 and a number of other employees on the basis of Government instructions dated 23.08.1990, 26.07.1991 as well as 09.08.2010. By virtue of Haryana (Abolition of Distinction of Pay Scale between Technical and Non-Technical Posts) Act, 2014, these instructions have been withdrawn and proviso to Section 4 of the Act lays down that in

case the benefit of these instructions has already been granted to some employees, they shall continue to draw the higher pay scales, as a measure personal to them. Petitioner, therefore, cannot claim parity with respondent No.4, who has been granted the benefit of the instructions prior to coming into force of the Act.

In view of the above, petitioner is not entitled to the relief claimed.

Petition is dismissed.

02.02.2023
Kamal

(SUVIR SEHGAL)
JUDGE

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No