

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

CWP-21489-2014 (O&M)

Date of decision: 11.01.2023

Kuldeep Raj and others

....Petitioners

Versus

State of Punjab and others

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr.Arvind Kashyap, Advocate for the petitioners
Mr. Charanpreet Singh, AAG, Punjab

ANIL KSHETARPAL, J (Oral)

The petitioners pray for the issuance of a writ in the nature of Certiorari to quash the orders dated 23.05.2012 and the letters dated 12.07.2013 as well as 26.05.2014. Previously, the petitioners were designated as the Pump Operators. Thereafter, they were re-designated as the Junior Technicians. The petitioners filed a previous writ petition in which the respondents were directed to pass a reasoned speaking order while considering the claim of the petitioners. The Principal Secretary to the Government of Punjab considered the petitioners' representation and passed a speaking order on 26.05.2014 (Annexure P-15).

The petitioners claim equation with the Clerks, Drivers and the Technicians working in the concerned Department. They claim that at one point in time their pay scales were identical. However, subsequently, the pay scales of Clerks, Drivers and Technicians were revised whereas the petitioners were brought at par with the aforementioned posts.

This Court has considered the submissions and analyzed the arguments of the learned counsel representing the petitioners. The scope of judicial review in such kind of matters is limited. Equation of pay scale is a specialized job of either the Pay Commission or an expert body constituted by the Government to consider the anomalies in the pay of the various posts. It is not in dispute that the duties, responsibilities and the work profile of Clerks, Drivers and Technicians are distinct from the Junior Technicians. Merely because at one point in time, their pay scales were identical, would not confer any right on the petitioners to claim that they are also entitled to same pay scale after revision. Reliance in this context can be made to the '**State of West Bengal and another vs. West Bengal Minimum Wages Inspectors Association**' (2010) 15 SCC 225, '**State of Punjab vs. Paramjit Singh and others**' (2003) 12 SCC 58 and '**State of Bihar vs. Bihar Secondary Teachers Struggle Committee, Munger and others**' (2019) 18 SCC 301. The attention of the Court has not been drawn to any conscious decision by the Government equating the posts of Clerks, Drivers and Technicians with that of the Junior Technicians. Moreover, in between, there is further revision of the pay scales in view of the report submitted by the Pay Commission.

Keeping in view the aforesaid facts, no ground to issue the writ, as prayed for, is made out.

Hence, dismissed.

All the pending miscellaneous applications, if any, are also disposed of.

11.01.2023
rekha

(ANIL KSHETARPAL)
JUDGE

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