

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

107

**2024:PHHC:010118
CWP No. 1727 of 2020
Date of Decision:25.01.2024**

Ashwani Kumar

....Petitioner

VS.

Bhakra Beas Management Board and others

....Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: Ms. Kriteka Sheokand, Advocate
for the petitioner
Mr. Sarthak Gupta, Advocate
for the respondents

JAGMOHAN BANSAL, J. (ORAL)

1. On 15.12.2023, the following order was passed by this Court:-

“The petitioner is claiming pay scale as payable to Bhakra Beas Management Board (for short ‘BBMB’). The parent department of the petitioner is Rajasthan Rajya Vidyut Prasaran Nigam Limited. The petitioner, on his request dated 08.05.2017 was posted with BBMB. In his letter as well as undertaking dated 08.05.2017, the petitioner categorically accepted that he would be entitled to pay scale of his parent department. The respondent in the office order dated 18.12.2017 specifically pointed out that petitioner would be entitled to pay scale of his parent department. The petitioner filed a representation seeking pay scale available to BBMB employees. The said representation came to be rejected vide order dated 12.07.2019. The petitioner has neither challenged office order dated 18.12.2017 nor rejection

order dated 12.07.2019 and he is claiming pay scale available to employees of BBMB on the sole ground that BBMB has extended its pay scale to other similarly situated employees.

On being asked, learned counsel for the respondents seeks time to get instructions with respect to pay scale made available to other employees who are working on share quota basis with respondent-BBMB.

Adjourned to 25.01.2024.

To be shown in urgent.”

2. Mr. Sarthak Gupta, Advocate produced a copy of statement of employees disclosing that BBMB is paying salary to employees on the basis of option exercised by them. The employees, who have opted for pay scale applicable to their parent departments, have been extended pay scale applicable to their parent departments and employees, who have opted for pay scale available to employees of BBMB, have been extended pay scale of BBMB. Copy of statement produced by counsel for respondents is taken on record. Registry is directed to tag the same at appropriate place.

3. It is an undisputed fact that petitioner did not opt for pay scale applicable to employees of BBMB. The petitioner, at a later stage, filed representation seeking pay scale applicable to employees of BBMB. The petitioner has neither challenged office order dated 18.12.2017 nor rejection order dated 12.07.2019, thus, he at this belated stage, cannot claim pay scale applicable to employees of BBMB especially when it is categorical stand of the respondents that all the employees have been extended pay scale as per their option.

4. In the aforesaid facts and circumstances, the petition being

devoid of merit, deserves to be dismissed and accordingly dismissed.

(JAGMOHAN BANSAL)
JUDGE

25.01.2024
paramjit

Whether speaking/reasoned: Yes
Whether reportable: Yes