



CWP-10910-2000 (O&M)

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CWP-10910-2000 (O&M)

Date of Decision: 01.10.2024

B.K. Khan

...Petitioner(s)

Versus

State of Haryana and others

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA

Present:- Mr. R.S. Bains, Senior Advocate with
Mr. Anmoldeep Singh, Advocate, and
Mr. Inderpal Singh Deol, Advocate for the petitioner
Mr. Harish Rathee, Sr. DAG, Haryana

TRIBHUVAN DAHIYA, J. (Oral)

The petition has been filed seeking a direction to the respondents to fix the petitioner's basic pay at par with that of his juniors at ₹14,940 with effect from 01.01.1996 in the pay-scale of ₹12000-18300 for the post of Assistant Professor, and grant arrears of salary with all consequential benefits and interest.

2. As per facts apparent on record, the petitioner joined the respondent Engineering College as Assistant Professor with effect from 01.02.1993, and was given three advance increments at that time. The government notified new scales of pay for the post, vide memo dated 05.11.1999, with effect from 01.01.1996. Prior to revision of pay, i.e., in December, 1995, the petitioner was drawing basic pay of ₹4325 in the pay-scale of ₹3700-5700 (pre-revised). In the revised pay-scale of ₹12000-18300, his pay was fixed at ₹12420 in January, 1996. It is claimed that he is entitled to pay parity with his junior in the revised pay-scale.

3. Learned senior counsel contends that the petitioner is claiming pay

parity with his junior Dr. J.S. Saini.



4. Learned State counsel relied upon the written statement filed on behalf of the College to contend that at the time of joining service as Assistant Professor, the petitioner’s past service was not counted. He, however, was offered basic pay of ₹4075 in the pre-revised pay-scale. On completion of five years of service on 01.02.1998, the petitioner’s pay was fixed at ₹14940 in the revised pay-scale, as was done in the case of other teachers. He has denied that Dr. J.S. Saini was petitioner’s junior.

5. Heard.

6. The petitioner joined service as Assistant Professor in the College on 01.02.1993, and was given basic pay of ₹4075 in the pre-revised pay-scale. As per averments in the petition, he was drawing basic pay of ₹4325 in the pre-revised pay-scale in December, 1995, and after revision of scale his basic pay was fixed at ₹12420 in January, 1996. Dr. J.S. Saini, who is claimed to be petitioner’s junior, was also drawing basic pay of ₹4325 in December, 1995. However, there is no pleading as to what was the junior’s pay in the revised pay-scale with effect from January, 1996, nor is there any averment/ material/ document on record indicating his date of joining the service. No seniority list has been placed on record either. In this factual background, there is no basis for the petitioner’s claim to pay parity with Dr. J.S. Saini.

7. In view thereof, there is no merit in the petition, and it stands dismissed.

(TRIBHUVAN DAHIYA)
JUDGE

01.10.2024
Payal

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