

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

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CWP No.12946 of 1997 (O &M)

Date of Decision : 6.3.2024

*Raghubir Singh**..... Petitioner**versus**State of Haryana and another**..... Respondents***CORAM: HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA**

Present: Mr. Ramesh Hooda, Advocate, for the petitioner

Ms. Tanushree Gupta, DAG, Haryana

TRIBHUVAN DAHIYA J. (ORAL):

The petition has been filed, *inter alia*, seeking a writ of *mandamus* directing the respondents to fix the petitioner's pay; firstly, in the pre-revised selection grade of ₹400-500 at ₹400 w.e.f. 1.4.1979, and thereafter, in the revised selection grade of pay of ₹700-1150 w.e.f. 1.4.1979 with all consequential benefits.

2. Learned counsel for the petitioner has contended that the petitioner was working in the Department as Science Master w.e.f. 9.10.1964 in the pay scale of ₹110-250. The time scale was revised to ₹220-400, and the selection grade to ₹400-500, which was meant for fifteen per cent of the cadre strength, to be given on the basis of seniority-cum-merit. Later, w.e.f. 1.4.1979, time scale of pay was revised to ₹525-1050, and selection grade to ₹700-1150. The selection grade was made admissible to twenty per cent of the posts in the cadre on the basis of seniority-cum-merit. Accordingly, the petitioner fell in the zone of consideration, and was given the revised selection grade w.e.f. 1.4.1979.

2.1. It is further contended by learned counsel that while granting the revised selection grade to the petitioner, his pay has been wrongly fixed. Instead of granting the revised selection grade w.e.f. 1.4.1979, his pay should have first been fixed in the pre-revised selection grade of

₹400-500, thereafter, in the revised selection grade of ₹700-1150.

3. Learned State counsel has referred to the details of re-fixation of petitioner’s pay in the revised selection grade mentioned in the written statement. She contends that the petitioner’s pay was rightly fixed following the revised pay scales as well as the criteria for placing Masters in the selection grade on the basis of seniority-cum-merit.

4. Heard.

5. It is apparent on record that the pay scales of Masters were revised w.e.f. 1.4.1979, and the quota for giving selection grade of pay was also increased from fifteen to twenty per cent with effect from that date. The petitioner fell in the zone of consideration for giving revised selection grade on that account, and became entitled to it on the basis of seniority-cum-merit. It is only on the basis of selection made as per the criteria that the scale has been given to him w.e.f. 1.4.1979. The contention that the petitioner was entitled to re-fixation of pay in the pre-revised selection grade prior to 1.4.1979, has no merit since he was never given selection grade in the pre-revised scales.

6. In view thereof, finding no merit, the petition stands dismissed.

7. Pending miscellaneous application(s), if any, stands disposed of accordingly.

(TRIBHUVAN DAHIYA)
JUDGE

6.3.2024
Ashwani

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