



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(204)

CWP No. 14702 of 1998 (O&M)
Date of Decision : 01.10.2024

Ranjit Singh and others

...Petitioners

Versus

The State of Punjab and others

...Respondents

CORAM: *HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI*

Present: Mr. Inayat Khullar, Advocate for the petitioners.

Mr. Swapan Shorey, Deputy Advocate General, Punjab.

Harsimran Singh Sethi J. (Oral)

1. In the present petition, the grievance being raised by the petitioners is that they are entitled for step up of their pay equivalent to their juniors.
2. Upon notice of motion, the respondents have filed the reply, wherein, they have stated that the juniors who are getting more salary, is for the reason that they were granted the increments keeping in view the Instructions dated 23.05.1957 and they acquired the said qualification before 19.02.1979 and once, the juniors have been granted a higher pay scale on account of their better qualification, the petitioners, who do not have the said qualification, cannot claim step up otherwise, the same will be contrary to the Instructions dated 23.05.1957.
3. I have heard learned counsel for the parties and have gone through the record with their able assistance.



4. It is a settled principle of law that on the basis of the higher qualification, a junior person can be granted a higher emoluments. In the present petition, on the basis of the Instructions dated 23.05.1957, an employee who had a higher qualification keeping in view the minimum qualification required for a particular post, on which he/she is working, advance increments were granted to the said employees. The higher pay being given to the juniors to the petitioners is on account of the said Instructions.

5. Concededly, the petitioners do not have the qualification to grant them the benefit of increments under the Instructions dated 23.05.1957, hence, the said benefit cannot be given to the petitioners under the garb of step up of the pay of juniors.

6. No other argument is raised.

7. Keeping in view the above, no ground is made out for any interference by this Court in the present petition.

8. Dismissed.

9. Pending miscellaneous application, if any, also stands disposed of.

October 01, 2024
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : No