

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

203

CWP-1092-1997 (O&M)
Date of Decision :12.02.2024

Ved Parkash Yadav and others**...Petitioners**

Versus

State of Haryana and others**....Respondents****CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI**

Present: Mr. R.K. Malik, Senior Advocate with
Mr. Kartikey Chaudhry, Advocate for the petitioners.

Mr. Saurabh Mohunta, DAG, Haryana.

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Harsimran Singh Sethi, J. (Oral)

1. In the present petition, grievance of the petitioners is that they are entitled for the grant of selection grade and other increments on passing A.M.I.E. qualification by taking into account the total length of service, which the petitioners had rendered either under the designation of Sectional Officer/Building Inspector or Junior Engineer as the case may be.

2. Learned Senior counsel for the petitioners submits that prior to the year 1994, employees were being appointed on the post with the nomenclature of Sectional Officer/Building Inspector, which posts were equivalent to the post of Junior Engineer in the other departments and vide letter dated 27.01.1994 (Annexure P-6), the said post of Sectional Officer/Building Inspector in the Town and Country Planning department, Haryana was also redesignated as Junior Engineer and was granted the same pay scale.

3. Learned Senior counsel for the petitioners submits that

grievance of the petitioners is that the services which the petitioners had rendered prior to 27.01.1994 under the designation of Sectional Officer/Building Inspector is not being treated as valid service so as to grant them the benefit which are attached to the post of Junior Engineer especially, the selection grade pay and further promotion.

4. Learned counsel for the respondents has not been able to rebut the facts which have been noticed hereinbefore but submits that once the petitioners were designated as Junior Engineer on 27.01.1994, any benefit which is attached to the post of Junior Engineer will be admissible to the petitioners from the date of their redesignation as Junior Engineer and not prior to the date when they were not working as such.

5. I have heard learned counsel for the parties and have gone through the record with their able assistance.

6. It is a conceded position that post of Sectional Officer/Building Inspector on which the petitioners were working was redesignated as Junior Engineer and upon redesignation only the nomenclature of the post of the petitioners was changed and not the duties which were performed by the Sectional Officer/Building Inspector. Therefore, once upon redesignation except nomenclature everything remains same, there is no justification as to why any service which the petitioners had rendered on the post of Sectional Officer/Building Inspector before their redesignation as Junior Engineer be not treated equivalent to that of the post of Junior Engineer.

7. In the present case, when the petitioners have already been granted all the benefits including pay scale as admissible to the Junior Engineer, the service which the petitioners had rendered as Sectional Officer/Building Inspector in the Town and Country Planning department,

Haryana should also be taken into account for the purpose of selection grade pay as well as other benefits attached to the said post of Junior Engineer.

8. It has also come on record that in the PWD (B&R) branch, post of Junior Engineer was also carrying nomenclature of Sectional Officer/Building Inspector, which post was redesignated to the post of Junior Engineer in the year 1979 and those employees, who were working as Sectional Officer/Building Inspector have been treated as Junior Engineer even for the period they were serving on the post under the nomenclature of Sectional Officer/Building Inspector. Once the same benefit has already been extended to the Sectional Officer/Building Inspector in the department of PWD (B & R) Haryana hence, no reason has come forward as to why, the said benefit has not been extended in favour of the petitioners.

9. Keeping in view the facts and circumstances recorded hereinbefore, the respondents are directed to take into account total length of service which the petitioners had rendered on a post either under the designation of Sectional Officer/Building Inspector or Junior Engineer for the purpose of selection grade pay as well as other benefits attached to the post of Junior Engineer for which petitioners are found entitled for.

10. Let the present order be complied with within a period of 08 weeks from the date of receipt of copy of this order.

11. Civil miscellaneous application pending, if any is also disposed of.

February 12, 2024
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(HARSIMRAN SINGH SETHI)
JUDGE

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