



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(204)

CWP No. 14204 of 2000 (O&M)
Date of Decision : 25.09.2024

Dr. Lehmber Singh

...Petitioner

Versus

State of Punjab

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Sushil Saini, Advocate for the petitioner.

Mr. Charanpreet Singh, Assistant Advocate General, Punjab.

Harsimran Singh Sethi J. (Oral)

1. In the present petition, the grievance of the petitioner is that petitioner is entitled for the benefit of higher pay scale on completion of 14 years of service, which benefit has not been extended to the petitioner, especially when, in the year 1997, the petitioner has been promoted as Assistant Director.
2. Learned counsel for the petitioner submits that once, the petitioner has been found eligible to be promoted as Assistant Director in the year 1997, the benefit of the higher pay scale on completion of 14 years of service cannot be denied to the petitioner.
3. Upon notice of motion, the respondents have filed the reply, wherein, they have submitted that after the promotion of the petitioner in the year 1997, the Instructions have been issued by the Government on 17.04.2000 as to what criteria is to be followed for the grant of higher pay scale on completion of 4, 9, 14 years of years and as per the said Instructions,



an employee having 50% good record is entitled for placement in the higher pay scale on completion of 4, 9, 14 years of service, whereas the annual confidential record (ACR) of the petitioner is 'not good' as required under the Instructions dated 17.04.2000.

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

5. Once, the criteria has been fixed for the grant of higher pay scale on completion of 4, 9, 14 years of service vide Instructions dated 17.04.2000, the same has to be made applicable upon the petitioner as well. It is not disputed by the learned counsel for the petitioner that his 50% service record is 'not good'. That being so, under the Instructions dated 17.04.2000, the petitioner cannot be granted the benefit of higher pay scale on completion of 4, 9, 14 years of service.

6. Learned counsel for the petitioner has not been able to dispute that the Instructions dated 17.04.2000 are applicable upon the case of the petitioner for the grant of higher pay scale on completion 4, 9, 14 years of service, according to which, petitioner is not entitled for the claim/relief.

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.

September 25, 2024
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes
Whether reportable : No