



CWP-15154-2021

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

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**CWP-15154-2021 (O&M)
Date of Decision :18.05.2024**

Ranbir Singh and others**...Petitioners**

Versus

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

Present: Mr. Ravinder Malik Ravi), Advocate for the petitioners.

Mr. Harish Rathee, Sr. DAG. Haryana.

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Harsimran Singh Sethi, J. (Oral)

1. In the present petition, the petitioners are claiming benefit of technical pay scale on the basis of 'equal pay for equal work', which benefit has already been rejected by the respondents vide impugned order dated 13.06.2019 (Annexure P/4).

2. Learned counsel for the petitioners submits that the petitioners are working on various posts in the Haryana Public Relations Department. Learned counsel for the petitioners further submits that the benefit of technical pay scale was given to the other employees and the similarly situated employees have been granted the pay scale of Rs.5200-20200/- plus 2400 grade pay, which benefit of pay scale should also be extended to the petitioners.



3. Upon notice of motion, the respondents have filed the reply wherein, it has been mentioned that the claim of the petitioners for 'equal pay for equal work' had already been rejected by the respondents vide impugned order dated 13.06.2019 (Annexure P/4). It has further been mentioned that the said rejection was on the ground that the pay scale which the petitioners are claiming was part of the technical pay scale granted to the employees, who are working on technical posts but after the promulgation of The Haryana (Abolition of Distinction of Pay Scale between Technical and Non-Technical Posts) Act, 2014, (hereinafter referred to as '2014 Act'), the said benefit of technical pay scale has been withdrawn from 01.02.1981 and the same had been allowed with only exception that the employees, who are already getting the said benefit continue to get the same as measure personal to them but nobody else will be granted the said benefit hence, the claim of the petitioners is contrary to the 2014 Act and the same is liable to be rejected.

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

5. Once, the claim of the petitioners is for the grant of benefit of technical pay scale and that too from the year 2021, the same could not have been allowed in view of the 2014 Act as benefit of the technical pay scale has already been withdrawn and that too from the date of inception of 2014 Act hence, no claim can be raised keeping in view the provisions of 2014 Act.

6. Merely that the similarly situated persons are getting the said



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benefit cannot be made a ground so as to claim the benefit of technical pay scale especially, when in the 2014 Act, it has been mentioned that the employees, who were granted the benefit of technical pay scale, will be allowed to get the same as a measure personal to them hence, in the absence of challenge to any of the provisions of the 2014 Act, no relief can be granted to the petitioners and the preset petition is accordingly dismissed.

7. Civil miscellaneous application pending if any, is also dismissed.

May 18, 2024
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(HARSIMRAN SINGH SETHI)
JUDGE

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