



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

849

CWP-19775-2008
Date of Decision:26.09.2024

Rajesh Kumar
.....Petitioner

Versus

State of Haryana and another
.....Respondents

CORAM: HON’BLE MR. JUSTICE AMAN CHAUDHARY

Present: None for the petitioner.

Mr. Tapan Kumar, DAG, Haryana

AMAN CHAUDHARY J. (Oral)

- 1. Prayer made in this petition is for direction to grant the pay scale of 5000-7850 to the petitioner.
- 2. Learned State counsel refers to the written statement, against which there is no replication, the relevant paras whereof read thus:

“Preliminary Submissions:

XXXXX XXXXX XXXXX

It is submitted that the Home Guards department restructured on 07.12.2004 and before restructuring there exists three posts of Junior Scale Stenographer in the head office and after restructuring two additional posts were sanctioned in the pay scale of Rs.4000-6000. However, before restructuring the existing 3 posts for Junior Scale Stenographer, were in the pay scale of Rs.5000-7850 which was accordingly sanctioned by the Government after the 5th Pay Commission. It is also relevant to mention here that before 5th pay Commission the pay scale of Junior Scale Stenographer was sanctioned by the Government in the pay scale of Rs.1400-2600 and after 5th Pay Commission is report the scale of Rs.5000-7850 was sanctioned accordingly.

Further, it is submitted that the petitioner Rajesh Kumar was recruited as Steno Typist in the pay scale of Rs.3050-4590+100 Special Pay and later on he was



promoted after restructuring of the department against one of the two newly sanctioned posts of Junior Scale Stenographer in the pay scale of 4000-6000 which is annexed R-1.

Further, due to the anomalies in the pay scale for the post of Junior Scale Stenographer which were existing prior to the restructuring and two new posts of Junior Scale Stenographer created after restructuring and due to the legal notice the matter was referred to the Government and the Government replied accordingly and the pay scale of Rs.4000-6000 was allowed to Sh. Rajesh Kumar, Junior Scale Stenographer. The same is annexed R-2. As such the writ petition is devoid of any cause of action and merit and same may be dismissed.”

On Merits:

XXXXX XXXXX XXXXX

6. That the contents of para 6 of the writ petition are admitted only to the extent that a letter was circulated for promotion to the post of Junior Scale Stenographer vide No.13437-39 dated 12.12.2004 and petitioner was promoted vide letter No.6196-6205 dated 20.05.2005. However, it is submitted that restructuring of the department was made on dated 07.12.2004 and after restructuring two new posts of Junior Scale Stenographer were sanctioned in the pay scale of Rs.4000-6000 and against these two newly sanctioned posts petitioner Rajesh Kumar was promoted. Further it is pertinent to mention here that presently the post of Junior Scale Stenographer in all other departments of Government of Haryana carries pay scale of Rs.4000-6000 and the same has also been sanctioned i.e. Rs.4000-6000 after restructuring.”

3. In view of the above, the present writ petition is disposed of, reserving the petitioner with a liberty to get it revived, in case need arises.

(AMAN CHAUDHARY)
JUDGE

September 26, 2024
dinesh

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