

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

CWP-1414-2016

Date of Decision:13.02.2024

LAKHBIR SINGH

..... Petitioner

Versus

BBMB AND ORS

..... Respondent

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present : Mr. S.S. Rana, Advocate with
Mr. Arvind Kumar Sharma, Advocate for the petitioner.

Mr. Sanjeev Roy, Advocate for
Mr. I.P.S. Doabia, Advocate for the respondents.

JAGMOHAN BANSAL, J. (Oral)

1. The petitioner through instant petition under Articles 226/227 of the Constitution of India is seeking direction to respondents to step up pay of the petitioner at par with his juniors i.e. respondent No.5 and further re-designate his post of Electrician Grade-I as Foreman as per policy decision of respondents.

2. The petitioner on 23.01.1984 joined respondent organization as Electrician. The petitioner w.e.f. 01.01.1989 was shifted from work charge to regular cadre. He was further promoted as Electrician Grade-II w.e.f. 08.06.1994. The petitioner was not extended pay scale as paid to Foreman (Electrical).

3. Mr. S.S. Rana, Advocate submits that respondent No.5 i.e. Ram Gopal joined respondent in 1984 and he was regularized in 1989. The said employee was promoted to the post of Electrician Grade- II w.e.f. 30.05.1994. The designation of respondent No.5 was converted from Electrician Grade-II to Foreman (Electrical). The post was re-

designated in terms of circular dated 12.10.1976 issued by Punjab State Electricity Board (for short ‘PSEB’), Patiala and as adopted by respondent vide circular dated 05.10.1977. The petitioner has not been extended benefit of circular dated 12.10.1976 issued by PSEB and as adopted by respondent.

4. On being asked, Mr. S.S. Rana confirmed that petitioner has retired and his re-designation as Foreman would not effect status of respondent No.5. He further concedes that petitioner does not dispute his date of promotion as Electrician Grade-II w.e.f. 08.06.1994, however, he prays that petitioner may be granted benefit of circular dated 12.10.1976 issued by PSEB and adopted by respondent.

5. Faced with this, Mr. Sanjeev Roy, Advocate asserts that respondent would re-consider case of petitioner in terms of circular dated 12.10.1976 (Annexure P-2) and Office order dated 05.10.1977 (Annexure P-3). If the petitioner is found eligible for re-designation of his post and revision of pay scale, he would be extended consequential benefits.

6. In the wake of statements of both sides, the present petition stands disposed of with a direction to respondents to re-consider case of petitioner and pass an appropriate order in the light of circular dated 12.10.1976 (Annexure P-2) and Office order dated 05.10.1977 (Annexure P-2) within 3 months from today.

(JAGMOHAN BANSAL)

JUDGE

13.02.2024

Ali

Whether speaking/reasoned	Yes/No
<i>Whether Reportable</i>	<i>Yes/No</i>