

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

205 (2 cases)

CWP-6611-2016
Date of Decision: 29.04.2024

Abhimanyu Kumar ...Petitioner

Versus

Union of India and others ...Respondents

And

CWP-13821-2018

Sanjeev Kumar and another ...Petitioners

Versus

Union of India and others ...Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present:- Ms. Kusum Raj, Advocate
for Mr. A.D.S. Jattana, Advocate for the petitioners

Mr. Sunil Kumar Sharma, Senior Panel Counsel,
for Union of India-respondents
(*present through Video Conferencing*)

JAGMOHAN BANSAL, J. (Oral)

1. By this common order, the captioned petitions are hereby

disposed of. The facts, for the sake of brevity and convenience, are borrowed

from *CWP No.6611 of 2016*.

2. The petitioner through instant petition under Articles 226/227 of the Constitution of India is seeking direction to respondent Nos.1 and 2 to frame rules and regulations with respect to his pay and other service conditions.

3. The petitioner is working with Border Roads Organization now known as General Reserve Engineering Force ('GREF'). He is claiming that he should be paid at par with Army Staff. He is further claiming that his terms and conditions of service should be at par with Army Staff because disciplinary proceedings against members of GREF are initiated in terms of Army Act, 1950.

4. This Court cannot ask Union or State legislature to make rules and regulations as per convenience and requirement of the petitioner. The question of framing rules falls within the realm of legislature. This Court has no authority to ask the legislature to make one or another set of rules. The Courts including Constitutional Courts are meant to interpret the law.

5. The petitions stand disposed of with liberty to the petitioners to approach the authorities for the redressal of their grievance.

(JAGMOHAN BANSAL)
JUDGE

29.04.2024
Mohit Kumar

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