



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

214

CWP-27799-2017 (O&M)
Decided on :06.05.2024

ROSHANI

. .petitioner

Versus

STATE OF HARYANA & OTHERS

. . . Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

PRESENT: Mr. Naresh Kaushik, Advocate for the petitioner.

Ms. Vibha Tewari, AAG, Haryana.

HARSIMRAN SINGH SETHI, J. (Oral)

1. In the present petition, the grievance being raised by the petitioner is that the late husband of the petitioner who was working on the post driver with the respondent-department was getting lesser grade pay as compared to his junior, namely, Krishan Kumar, Driver, hence, the respondents be directed to step-up the pay of the late husband of the petitioner.

2. Learned counsel for the petitioner submits that the husband of the petitioner was getting grade pay of Rs. 3,300/- whereas, Krishan Kumar despite being junior to the husband of the petitioner, is getting the grade pay of Rs. 4000/-, which is arbitrary and illegal.



3. Learned counsel for the respondents on the other hand submits that the claim of the petitioner is that her late husband is also entitled for the grant of grade pay of Rs. 4,000/- which has already been allowed vide order dated 09.12.2014 (Annexure P-2) and pay of the husband of the petitioner has also been fixed vide order dated 16.12.2014 (Annexure P-3) and that is why the writ petition being CWP-16613-2013 filed by the husband of the petitioner for a grant of grade pay of Rs.4,000/- in the pay scale of Rs. 5200-20200/- was rendered infructuous.

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

5. The only argument raised in the present petition is that the late husband of the petitioner was getting a lesser grade pay than his junior, namely, Krishan Kumar. From the pleadings, it transpires that the Krishan Kumar was getting grade pay of Rs. 4,000/- with pay scale of Rs. 5200-20200/-. The said pay scale has already been granted to the petitioner vide order dated 09.12.2014 (Annexure P-2) and his pay has already been fixed vide order dated 16.12.2014 (Annexure P-3). Not only this, the same claim that he husband of the petitioner is entitled for a grade pay of Rs. 4000/-, was raised in CWP-16613-2013 which was disposed of as rendered infructuous keeping in view the reply filed by the respondent state that the said benefit has already been given to the petitioner.

6. Nothing has been brought to the notice of this Court as to how or on what basis, it has been contended that Krishan Kumar was getting higher pay than the husband of the petitioner. In the absence of the any documents with regard to the contention that the Krishan Kumar was getting higher pay than the husband of the petitioner, no relief can be granted especially when Krishan Kumar and husband of the petitioner were



granted the same grade pay.

7. Hence, keeping in view the above facts and circumstances recorded herein above, no ground is made out for any interference by this Court in the present petition, hence, the present petition stands dismissed.

8. Pending civil miscellaneous application, if any, stands disposed of.

(HARSIMRAN SINGH SETHI)
JUDGE

06.05.2024
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Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No