

**LPA-2868-2024 (O&M)****-1-****IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH****Sr. No.112****LPA-2868-2024 (O&M)****Date of decision: 18.11.2024**

Haryana Sehri Vikas Pradhikaran (HSVP) and others

....Appellants

Versus

Krishan Kumar

....Respondent

**CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL
HON'BLE MR. JUSTICE DEEPAK GUPTA****Present:** Mr. Deepak Balyan, Advocate and
Mr. Vicky Chauhan, Advocate, for the appellants.*** * *****DEEPAK SIBAL, J. (Oral)**

1. With effect from 01.02.1996, the respondent's services were regularized as a Plumber Helper and he was placed in the pay scale of Rs.950-1400. Thereafter, on 12.07.2001, the respondent was promoted as Plumber Grade-II on which post he presently serves. Through the order dated 09.06.2020, the appellant – HSVP withdrew the aforesaid regular pay scale granted to the respondent w.e.f. 01.02.1996. Such order was challenged by the respondent through filing of a petition before this Court which, through the impugned judgment, has been accepted by a learned Single Judge of this Court.

2. Learned counsel for the appellant has been heard.

3. It is not disputed that w.e.f. 01.02.1996, the respondent's services were regularized as a Plumber Helper and w.e.f. the same date he was placed in the regular pay scale of Rs.950-1400; on 12.07.2001, the respondent was promoted as Plumber Grade-II and that on 09.06.2020, an order was passed through which the regular pay scale of Rs.950-1400 granted to the respondent



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as Plumber Helper w.e.f. 01.02.1996 was withdrawn.

4. Admittedly, prior to the passing of the order dated 09.06.2020, no notice was served upon the respondent. The order dated 09.06.2020 is also bereft of any reason and that the same has been passed after 22 years of unexplained delay on the appellant's part.

5. Even otherwise, the regular pay scale granted to the respondent was sought to be withdrawn on the ground that the respondent did not possess the qualification for being appointed as a Plumber Helper as the required academic qualification for the post of Plumber Helper is matriculation with I.T.I. Certificate (Plumber) whereas the respondent was a matriculate and possessed an I.T.I. certificate in Sanitary Fitting. No document or any justification was placed on the record by the appellant either before the learned Single Judge or before us to show that the I.T.I. Certificate possessed by the respondent at the time of regularization of his services as Plumber Helper which was way back in the year 1996 was not in the 'Plumber' trade.

6. In the light of the above, we find no reason to interfere with the impugned judgment.

7. Dismissed.

8. All pending miscellaneous application(s), if any, also stand disposed of.

(DEEPAK SIBAL)
JUDGE

(DEEPAK GUPTA)
JUDGE

November 18, 2024
Jyoti 1

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