



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

Date of Decision: 23.05.2025

CWP No.15580-2000(O&M)

Chaman Lal and another

....Petitioners

VS.

The Haryana Urban Development Authority, Panchkula and others

....Respondents

CWP- 8945 of 2001(O&M)

**The Haryana Urban Development Authority Public Karamchari Union,
Panchkula**

....Petitioner

VS.

The State of Haryana and others

....Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: Mr. Mahabir Singh Tanwar, Advocate for
Mr. A.S.Tewatia, Advocate
for the petitioners in CWP-15580 of 2000

Mr. Vivek Suri, Advocate
Mr. Dushyant Godara, Advocate
Ms. Kritika Sharma, Advocate
for the petitioners in CWP- 8945 of 2001

Ms. Rajni Gupta, Addl. A.G., Haryana

Mr. Rishabh Gupta, Advocate
for the HUDA-respondents

JAGMOHAN BANSAL, J. (ORAL)

1. By this common order, CWP No.15580 of 2000 and CWP No. 8945 of 2001 are hereby adjudicated as common questions of law and facts are involved.



2. The petitioners through instant petitions are seeking direction to respondent to extend them pay scale of Rs. 1200-2040 instead of Rs.950-1500 in view of recommendations of the High Power Committee.

3. The petitioners joined respondent as Class-IV employees. They were regularised as Water Pump Operators with effect from 03.08.1993 in the pay scale of Rs.950-1500. They are claiming that they should be extended higher pay scale of Rs.1200-2040 on the ground that similarly situated employees are getting higher pay scale.

4. Mr. M.S.Tanwar, Advocate submits that petitioners are Non-ITI Water Pump Operators and Water Pump Operators who are ITI are getting pay scale of Rs.1200-2040. This is discriminatory. The respondent on the representation of employees constituted a Committee of three Senior Officers which found that there would be financial implications, thus, approval of competent authority is required. They recommended higher pay scale to every Non-ITI Water Pump Operator-II who has length of service of three years or more.

5. From the perusal of record, it is evident that Committee considered the issue and formed an opinion that every Water Pump Operator despite being Non-ITI should be extended pay scale of 1200-2040 if he has length of service of three years or more. The said recommendation of the Committee was never implemented. There is nothing on record disclosing that Government approved the said recommendation or any other competent authority attempted to implement the said opinion. In the absence of any particular Rule or Regulation creating right in favour of the petitioners, this Court on the basis of opinion of Committee cannot direct the respondent to



extend higher pay scale. The determination of pay scale is discretion of State Government. The Court cannot create a cadre or post or pay scale.

- 6. In the backdrop, petitions are hereby dismissed.
- 7. Pending Misc. application(s), if any, shall stand disposed of.

(JAGMOHAN BANSAL)
JUDGE

23.05.2025
paramjit

Whether speaking/reasoned:	Yes	
Whether reportable:		No