



IN THE HIGH COURT OF PUNJAB & HARYANA  
AT CHANDIGARH

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CWP-18114-2025 (O&M)

Date of decision: 04.07.2025

Ranjith Kumar NK GS No.173750W and others

...Petitioners

VERSUS

The Union of India and others

...Respondents

**CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ**

Present :- Mr. R.D. Bawa, Advocate;  
Mr. Samuel Gill, Advocate;  
Mr. Randhir Bawa, Advocate;  
Mr. Rishab Rana, Advocate for the petitioner(s).

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**VINOD S. BHARDWAJ, J. (Oral)**

1. The petitioners have approached this Court for issuance of directions to the respondents to upgrade/revise the pay scale of Rs. 5000-8000/- attached to the post of Charge Mechanic applicable w.e.f. 01.01.1996, while placing the petitioners in the ACP scale of the post of Charge Mechanic granted from different dates and to place the petitioners in the corresponding revised pay scale of Rs.9300-34800 with grade pay of Rs. 4200/- w.e.f. 01.01.2006 in view of the judgment dated 10.12.2024 passed by this Court in CWP-7156-2014 titled as 'Vanakuru Murali Syam and others Vs. Union of India and others', which further relies upon the judgment of the Gauhati High Court in 'Ghanashyam Vishwakarma Vs. The



Director General, Border Roads Organisation and others' decided on 10.09.2010, which was upheld by a Division Bench vide judgment dated 18.03.2011 and against which the SLP was dismissed by the Hon'ble Supreme Court on 01.11.2011.

2. Learned counsel appearing on behalf of the petitioners contends that the petitioners are serving in the GREF, a Border Roads Organisation (BRO). They were appointed to the post of Vehicle Mechanic, being fully qualified for the said post except petitioners No.7, 39, 40, 45, 49, 61, 69 and 78, who were appointed on the post of Turner. The details of the petitioners along with the date of grant of pay-scale of the post of Charge Mechanic and the date of actual promotion to the post of Charge Mechanic and Junior Engineer, are mentioned in para No.4 of the petition. He contends that as per the GREF Recruitment and Promotion Rules, 1982 (hereinafter referred to as '**the Rules of 1982**'), the promotion to the post of Charge Mechanic to the extent of 70%, is to be made from amongst the Vehicle Mechanics in possession of the certificate in Mechanic Motors/Vehicles/Internal Combustion Engine/Diesel/Tractors/Fetter issued by ITI etc. 10% of vacancies were to be filled up from amongst the Welders with 5 years regular service in the grade in GREF subject to passing the Trade Test and 10% of vacancies were to be filled up from amongst the Turners/Machinist etc. with 5 years regular service in the grade in GREF subject to passing the Trade Test.



3. The petitioners were eligible for promotion to the post of Charge Mechanic under the Rules of 1982, being fully qualified. He contends that despite the petitioners being qualified for promotion, they could not be promoted to the post, hence, they were placed in the ACP scales of pay attached to the post of Charge Mechanic. They were subsequently actually promoted to the post of Charge Mechanic. He further submits that the Rules of 1982 do not prescribe any differential pay scale for the diploma holder Charge Mechanic or the ITI Certificate holders. Even the posts are interchangeable and they discharge same duties and responsibilities. Hence, there is equivalence of post, status, duties and responsibilities. There was no dispute till implementation of the Rules of 2008 but thereafter the diploma holder Charge Mechanics have been granted the benefits of a higher pay scale of Rs.5000-8000/- w.e.f. 01.01.1996 and revised pay scale of Rs.9300-34,800/- and grade pay Rs.4200/- w.e.f. 01.01.2006 in Pay Band-II in comparison to non-diploma holder Charge Mechanics who were offered the pay scale of Rs.5200-20,200/- + grade pay of Rs.2400/- w.e.f. 01.01.2006 only in an outright discriminatory manner. The same thus adversely affects the service conditions of the petitioners. Aggrieved thereof, certain non-diploma holders preferred Writ Petition (Civil) No.51 of 2009 before the Aizawl Bench of the Gauhati High Court, which was allowed by the Single Judge vide judgment dated 10.09.2010. LPA preferred against the same was dismissed by the Division Bench and eventually, the SLP preferred against the same was also dismissed by the



Hon'ble Supreme Court. The said judgment thus attained finality. He contends that certain similarly situated employees had also preferred **CWP-7156-2014** titled as '**Vanakuru Murali Syam and others Vs. Union of India and others**' by placing reliance on the said judgment. It is submitted that the said writ petition was allowed vide judgment dated 10.12.2024 and CWP-15550-2014 titled as '**Santosh Kumar K vs. Union of India and others**' was disposed of in terms of the judgment dated 10.12.2024 on 15.01.2025. He contends that the claim of the petitioners is identical and that he would be satisfied at this juncture, in case, the respondents are directed to consider the claim of the petitioners in accordance with law.

4. Notice of motion.

5. Mr. Inderpreet Singh Kang, Advocate for Mr. Devanshu Aggarwal, Sr. Panel Counsel, enters appearance and accepts notice on behalf of the respondent(s)-UOI. He however contends that he has no instructions in the matter.

6. Be that as it may, since a specific contention has been raised by the petitioners that the instant case is fully covered by the judgment dated 10.12.2024 passed in the matter of **Vanakuru Murali Syam and others (supra)** and prayer is for consideration of their claim, a formal reply would not be required in view of the order which this Court intends to pass.

7. Accordingly, the present petition is **disposed of** at this stage with a direction to the respondent No.2-Director General, Border Roads Organisation, New Delhi to consider the case of the petitioners by treating



the present writ petition as a representation and to pass a well-reasoned and speaking order thereupon expeditiously and preferably within a period of **03 months** of the receipt of certified copy of this order.

8. Needless to mention that in the event of the petitioners being found identically placed as the petitioners in the matter of *Vanakuru Murali Syam and others (supra)*, the benefits, as directed by this Court in the aforementioned case, would also be extended to the present petitioners within a period of **02 months** thereafter.

(VINOD S. BHARDWAJ)  
JUDGE

04.07.2025  
Mangal Singh

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