



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

221+121

CWP-20212-2024(O&M)

Date of Decision : **September 23, 2025**

ANIL CHOUDHARY AND OTHERS

.....Petitioners

VERSUS

STATE OF HARYANA AND OTHERS

.....Respondents

**CORAM: HON'BLE MR. JUSTICE ASHWANI KUMAR MISHRA
HON'BLE MR. JUSTICE ROHIT KAPOOR**

Present : Mr. Pardeep Sharma, Advocate for the petitioners.

Mr. Pankaj Mulwani, Sr. DAG, Haryana.

ASHWANI KUMAR MISHRA, J. (Oral)

1. The petitioners are contractual employees engaged in different District Health and Family Welfare Society and have been placed in the pay scale/consolidated honorarium @ Rs.7580 plus other allowances. Their pay scale and conditions of Service are regulated by the provisions of service bye-laws governing the conditions of services of contractual employees of State Health Mission, Haryana 2018. The bye-laws also specify the pay scale for multi rehabilitation worker under the bye-laws who have been placed under pay band-I corresponding to Rs.5200-20200 in the grade pay of Rs.1900. The entry level pay/remuneration is fixed at Rs.7580. The petitioners submit that they have been working on the basis of contractual appointment offered to them from year to year for the last more than 10 years.

2. The petitioners are primarily aggrieved by the action of the respondents in allowing a higher pay scale to Driver-TB Cell/Pharmacist who has been placed in the grade pay of Rs.2400/-. They submitted that the petitioners have much higher education qualification inasmuch as they are Graduate with two years working experience and also possess certificates of multi rehabilitation worker from the recognized institution. It is submitted that the qualification for the Driver/Pharmacist is much lower but they have been allowed a higher pay scale.

3. The second part of the petitioners' grievance is that similarly placed multi rehabilitation workers engaged in Bhagat Phool Singh Govt. Medical College for women, Khanpur Kalan, Sonipat, Haryana are receiving grade pay of Rs.4200/- whereas the petitioners' grade pay is much less. It is submitted that there is absolutely no justification for allowing such lesser pay scale for the petitioners while persons with lower qualification have been allowed higher pay scale and those who are in the regular service of the State are otherwise placed in the grade pay of Rs.4200/-.

4. Counter affidavit has been filed on behalf of the State-authorities contending that the petitioners are contractual employees and they cannot seek parity in the matter of grant of pay scale with regular employees of the State. It is, therefore, submitted that the petitioners cannot claim parity with the similarly placed workers engaged in Bhagat Phool Singh Govt. Medical College for women, Sonipat, Haryana. It is also asserted on behalf of the respondents that the petitioners are engaged in a centrally sponsored scheme in which the State also makes its contribution in the fixed percentage and such

contractual employees cannot claim parity with the regular employees of the State Government.

5. Having heard the learned counsel for the parties, we find substances in the objection of the State that contractual employee cannot claim parity in the matter of grant of pay scale with regular employees of the State Government. There is otherwise no pleading in the writ petition that the petitioners are performing identical work as is being done in the Government Hospitals. We are of the view that an employee engaged on contractual basis has lessor responsibility vis-à-vis the regular employee of the State and unless the Rules so specified, a contractual employee engaged in a particular central scheme would not be entitled to parity in the matter of pay scale with the regular employee of the State.

6. So far as the anomaly in the fixation of the pay scale on account of persons with lessor qualification getting higher pay scale is concerned, we are of the view that this issue at the first instance can be examined by the Mission Director i.e. respondent No.2. Accordingly, we dispose of this writ petition with liberty granted to the petitioners to make a comprehensive representation highlighting their grievance with regard to the anomaly in the fixation of pay scale by submitting a representation before respondent No.2 alongwith copy of this order within two weeks from today. The Mission Director will get the facts examined and appropriate decision in that regard would be taken within a period of three months thereafter.

7. Needless to state that this order shall not be treated to be expression of opinion on the merits of the case of either party, for as indicated

above, the competent authority shall examine the concerns/grievances of the petitioners, strictly in accordance with law.

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

(ASHWANI KUMAR MISHRA)
JUDGE

September 23, 2025
ajaysharma

(ROHIT KAPOOR)
JUDGE

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