

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS

CIVIL APPEAL NO(s). 6529-6530 OF 2005

B.N. SHUKLA & ORS.

Appellant (s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

(With office report)

Date: 15/12/2010 These Appeals were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE D.K. JAIN  
HON'BLE MR. JUSTICE H.L. DATTU

For Appellant(s) Mrs.Rekha Palli,Adv.  
Mr. A.V. Palli, Adv.  
Mr. Kumar Rajesh Singh, Adv.

For Respondent(s) Mr. A. Mariarputham, Sr. Adv.  
Mr. Naresh Kaushik, Adv.  
Ms. Sunita Sharma, Adv.  
Mr. S.N. Terdal, Adv.

UPON hearing counsel the Court made the following  
O R D E R

The appeals are dismissed with no order as to costs.

[ Charanjeet Kaur ]  
Court Master

[ Kusum Gulati ]  
Court Master

[ Signed order is placed on the file ]  
IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NOS. 6529-6530 OF 2005

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.. Appellant(s)

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.. Respondent(s)

O R D E R

We have perused the Border Security Force (Air Wing  
Non-Gazetted (Combatised) Group 'C' posts) Recruitment  
Rules, 1997 and Border Security Force (Air Wing, non-  
combatised Group 'C' and 'D' posts) Recruitment Rules,  
1996, which were notified on 15th December, 1997 and 9th

January, 1997, respectively. In the said Rules there is vast difference in the pay-scales of Senior Aircraft Mechanic (Inspector) and Senior Aircraft Mechanic, which are respectively Rs. 6500-200-10500 and Rs.4500-7000.

Admittedly, the said Rules had not been challenged by the appellants. Therefore, having accepted a significant difference in the pay-scales of the said two posts, we are of the opinion that the appellants cannot be permitted to contend that by prescribing different pay-scales for Senior Aircraft Mechanic (Combatised) and Senior Aircraft Mechanic (Civilian), they were discriminated against during the period from 18th June, 1991 till

..2/-

: 2 :

9th January 1997 and 15th December, 1997, i.e., when the 1996 and 1997 rules were promulgated.

In that view of the matter, the decision of the High Court, holding that the appellants could not claim parity with the pay-scales of Senior Aircraft Mechanic (Combatised), cannot be faulted with. There is no merit in these appeals. The same are dismissed accordingly, with no order as to costs.

.....J.  
[ D.K. JAIN ]

.....J.  
[ H.L. DATTU ]

s

NEW DELHI,  
DECEMBER 15, 2010.