

S U P R E M E C O U R T O F
R E C O R D O F P R O C E E D I N G S

I N D I A

Civil Appeal No(s). 6260/2009

HARYANA STATE MINOR IRRIGATION TUBEWELL
CORPORATION AND ANOTHER

Appellant(s)

VERSUS

KULDEEP SINGH & ANR

Respondent(s)

(with appln. (s) for stay and office report)

Date : 20/08/2015 This appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE M.Y. EQBAL
HON'BLE MR. JUSTICE C. NAGAPPAN

For Appellant(s)

Mr. Ashwani K. Upadhyay, Adv.
Ms. Kiran Ahlawat, adv.
Mr. Ronak Karanpuria, Adv.
For Mr. Ugra Shankar Prasad, Adv.

For Respondent(s)

Mr. Rajesh Sharma, Adv.
Ms. Shalu Sharma, Adv.

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

This appeal is dismissed in terms of the signed
order.

[INDU POKHRIYAL]
COURT MASTER

[SUKHBIR PAUL KAUR]
A.R.-CUM-P.S.

(Signed order is placed on the file)

Signature Not Verified

Digitally signed by
Sukhbir Paul Kaur
Date: 2015.08.21
17:05:08 IST
Reason:

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.6260 OF 2009

VERSUS

KULDEEP SINGH & ANR

Respondent(s)

O R D E R

We have heard learned counsel for the parties.

The appellant is aggrieved by the judgment and order dated 4.8.2005 passed by the High Court of Punjab and Haryana at Chandigarh in Regular Second Appeal No. 5526 of 2003 affirming the judgment and order passed by the Trial Court and the first Appellate Court.

The Respondent No.1 filed a suit for declaration that he is entitled to higher pay scale than his juniors with effect from the date of promotion as Assistant Foreman along with consequential benefits.

In the year 1974, the Respondent No.1 was employed as an Electrician with Haryana State Minor

-2-

Irrigation Tubewells Corporation (in short 'the H.S.M.I.T.C') in the pay scale of Rs.100-160.

Thereafter, in the year 1975, he was promoted to the post of Chargeman in the pay scale of Rs. 140-200 and his services were regularized in the year 1979. In the year 1981, after the revision of pay, he was getting the pay scale of Rs.400-660.

In the year 1982, the respondent No.1 was promoted as an Assistant Foreman in the pay scale of Rs.480-760, but his pay was not revised.

The grievance of Respondent No.1 was that

the persons junior to him doing similar work were getting higher pay scale.

The Trial Court recorded a finding that Respondent No.1 is entitled to get the pay scale at par with his juniors. Accordingly, the suit was decreed and the decree was affirmed in appeal by the District Judge.

The High Court also, after re-appreciation of entire facts, dismissed the second appeal and affirmed the finding recorded by the Trial Court and the first Appellate Court.

In the aforesaid circumstances, we do not find any reason to interfere with the judgment and
-3-

decree passed by the Trial Court and affirmed by the first Appellate Court and the High Court.

The appeal is, accordingly, dismissed.

.....J.
(M.Y. EQBAL)

.....J.
(C. NAGAPPAN)

New Delhi,
August 20, 2015