

of the Calcutta High Court. The facts have been mentioned in detail in the impugned judgment and hence we are not repeating the same here.

It appears that the respondents were employed in the Directorate of Cottage and Small Scale Industries. They wanted parity of payscales with the employees of the Sericulture Department.

This Court in the case of S.C. Chandra & Ors. Vs. State of Jharkhand & Ors. (2007) 8 SCC 279 to which one of us (Katju, J.) was a party has held in para 27 and other paragraphs that there must be complete and wholesale identity between the two groups before granting them parity in payscales. The said decision was followed in a recent judgment of this Court in the case of State of Punjab Vs. Surjit Singh (2009) 9 SCC 514 [=2009 (11) SCALE 149 = JT 2009 (10)SC 424].

In our opinion, the employees of the Directorate of Cottage and Small Scale Industries cannot be said to be having wholesale or complete identity with their counterparts in the Sericulture Department. For the reasons mentioned above, we set aside the impugned judgment and order and allow this appeal. There shall be no order as to the costs.

.....J.
(MARKANDEY KATJU)

.....J.
(R.M. LODHA)

NEW DELHI;
NOVEMBER 25, 2009