



211(2)

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

CWP-4915-2012

Date of Decision: 02.07.2025

1)

MAHENDER SINGH PHOGAT

..... Petitioner

Versus

**HARYANA STATE FEDERATION OF COOPERATIVE MILLS
LTD. AND ORS**

..... Respondents

2)

CWP-5939-2012 (O&M)

PARBHU DAYAL

..... Petitioner

Versus

**HARYANA STATE FEDERATION OF COOPERATIVE SUGAR
MILLS LTD. AND ORS**

..... Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present : Mr. Shivam Malik, Advocate
for the petitioner(s).

Mr. Deepak Balyan, Advocate with
Mr. Vicky Chauhan, Advocate
for the respondent in CWP No.4915 of 2012.

JAGMOHAN BANSAL, J. (Oral)

1. By this common order CWP-4915-2012 and CWP-5939-2012 are disposed of since issues involved in the above captioned petitions and prayer sought are common. With the consent of parties and for the sake of brevity, facts are borrowed from CWP-4915-2012.

2. The petitioner through instant petition under Article 226 of



the Constitution of India is seeking setting aside of order dated 19.09.2011 (Annexure P-8) whereby respondent has rejected his claim for higher pay scale.

3. The petitioner is working with respondent No.2 i.e. Haryana Co-operative Sugar Mills Limited, Rohtak as Cane Accountant. He is claiming that as per communication dated 09.09.2010 (Annexure P-2) of Haryana State Federation of Cooperative Sugar Mills Limited, he should be extended benefit of 6th Pay Commission. As per report of 6th Pay Commission which stands adopted by State Government, the petitioner is entitled to pay scale as per 6th Pay Commission.

4. The impugned communication was made by respondent with counsel of the petitioner. On the directions of this Court, during the pendency of petition, the respondent passed speaking order dated 26.07.2017 (Annexure R-1). The said order is on record, however, is not under challenge.

5. From the perusal of order dated 26.07.2017, it is evident that respondent has not adopted 6th Pay Commission recommendations, however, revised pay scale of its employees. The revision has taken place in view of orders of Haryana State Federation of Cooperative Sugar Mills Limited and opinion of Finance Department of State Government. The respondent has revised pay scale of Clerical-I from 4000-5975 to 5200-20200 with grade pay of Rs.3200/-. The pay scale of petitioner has been fixed in the revised pay scale.

6. The grievance of petitioner is that he should be given benefit of 6th Pay Commission. The respondent has denied said benefit because benefit of 6th Pay Commission has not been extended to any employee



whereas respondent on its own, with the concurrence of Finance Department has revised pay scale of its employees. The petitioner has been extended benefit of revised pay scale. The petitioner cannot claim pay parity with any other Organization. There is no pay disparity in the employees of the respondent-Organization. The claim of the petitioner that employees of other Co-operative Sugar Mills Limited are getting higher pay scale cannot be a ground to claim higher pay scale until and unless there is discrimination between different employees of the same Organization. This Court cannot direct respondent which is a Co-operative Society to adopt report of 6th Pay Commission.

7. Dismissed.

8. Pending misc. application (s), if any, shall also stand disposed of.

(JAGMOHAN BANSAL)
JUDGE

02.07.2025

Ali

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No