



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

203

CWP-4320-2014

Reserved on: 05.09.2025

Pronounced on: 09.09.2025

Tej Bhadur and Others

...Petitioners

Versus

Panjab University, Chandigarh and Others

...Respondents

CORAM:- HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present:- Mr. Saurya Khanna, Advocate and
Mr. Sahil Mehndiratta, Advocate for the petitioners.

Mr. Subhash Ahuja, Advocate
for the respondent-University.

JAGMOHAN BANSAL, J. (ORAL)

1. The petitioners through instant petition under Articles 226/227 of the Constitution of India are seeking setting aside of order dated 28.12.2010 whereby petitioners are granted more pay scale than whitewashers.

2. The petitioners are claiming that they are either plumbers or painters. They are better equipped and more qualified than whitewashers. They are getting lesser pay than whitewashers. Their pay scale is lower than pay scale of whitewashers. The respondent has created artificial dichotomy between whitewashers and painters. They were appointed at the same point of time and their pay scale was same. There was joint seniority list. Thus, their salary cannot be less than of whitewashers.

3. Learned counsel representing the petitioners submits that he

does not press his claim *qua* seniority, however, he may be granted pay parity with whitewashers.

4. Learned counsel for the respondent submits that there is separate cadre of painters, plumbers and whitewashers. All are forming separate cadres. The members of each cadre are divided into three grades i.e. Technical Grade-I, Technical Grade-II and Technical Grade-III. The members who are entitled to Technical Grade-I are eligible to higher pay scale. The members of painter and whitewasher cadre were divided into three grades. The petitioners are comparing themselves with the Technical Grade-I (whitewashers). They have also been granted Technical Grade-I as per their turn. Case of petitioner is squarely covered by judgment of this Court in *Vijay Kumar and Ors*.

5. I have heard learned counsel for the parties and perused the record with their able assistance.

6. From the perusal of impugned order, it is evident that respondent classified different class of workers i.e. Painter, Whitewasher, Electrician, Plumber, Welder, Glazier-cum-Polisher and Mechanic into three categories i.e. Technical Grade-I, Technical Grade-II and Technical Grade-III. There were 30 painters whereas 05 were whitewashers. 50% employees were placed in Grade-III, 30% in Grade-II and 20% in Grade-I. The grading was done for each class i.e. whitewasher, painter and plumber. The gradation was not made on the basis of joint seniority of aforesaid classes whereas grading was made within Class. The respondent is stating that each class was forming a separate cadre. The cadre of

whitewashers was separate from painters. There were only 05 whitewashers whereas painters were 30 in number. The petitioners are comparing themselves with the whitewashers who are granted highest grade i.e. Grade-I. They are not comparing themselves with other Grades. The petitioners were lowest in Grade in Painters' Cadre. They are comparing themselves with whitewashers who were in highest grade. They are claiming parity on the sole ground that they joined service prior to whitewashers. The respondent has made reasonable classification. The respondent was within its jurisdiction to divide one particular cadre into three grades so that there may be incentive within cadre without promotion. The petitioners were also granted higher grade though at a later stage.

7. In the above premise, this Court does not find any substance in the claim of the petitioner. The instant petition deserves to be dismissed and accordingly dismissed.

(JAGMOHAN BANSAL)
JUDGE

09.09.2025
Prince Chawla

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No