

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

LPA No. 1221 of 2015 (O&M)

DATE OF DECISION : 12.10.2015

Dalip Singh

.... APPELLANT

Versus

State of Haryana and others

.... RESPONDENTS

CORAM :- HON'BLE MR. JUSTICE SATISH KUMAR MITTAL

HON'BLE MR. JUSTICE HARI PAL VERMA

Present : Mr. S.K. Sud, Advocate,
for the appellant.

* * *

SATISH KUMAR MITTAL, J. (Oral)

This intra-court appeal under Clause X of the Letters Patent has been filed against the order dated 14.05.2015 passed by the learned Single Judge, whereby the writ petition (CWP No. 3149 of 2011) filed by the appellant seeking revised pay scale and other consequential benefits was dismissed as having become infructuous, as all the service benefits claimed in the writ petition were released to the appellant.

Though there is delay of 4 days in filing the appeal and the appellant has filed application (CM No. 2603-LPA of 2015) for condoning the said delay, yet we have heard learned counsel for the appellant on merits and have gone through the impugned order passed by the learned Single Judge.

After hearing learned counsel for the appellant, we do not find any ground to interfere with the impugned order passed by the learned Single Judge. It is not disputed that all retiral benefits have been paid to the appellant. However, it has been submitted that he has been given less pension, because some period of his service was not counted towards his length of service. Neither such pleading was made in the writ petition nor such issue was raised before the learned Single Judge. Therefore, in the Letters Patent Appeal, we cannot go into this issue. Secondly, learned counsel for the appellant has raised the issue of promotion of the appellant as Inspector from the year 1981. No such issue was also raised before the learned Single Judge. Even otherwise, the appellant was promoted as Inspector in the year 1992 and had retired from service in the year 1993. He filed the writ petition in the year 2011 raising the dispute of promotion from the year 1981 at a highly belated stage which, in our view, was rightly not gone into by the learned Single Judge.

In view of the above, we do not find any illegality in the order passed by the learned Single Judge.

Dismissed.

(SATISH KUMAR MITTAL)
JUDGE

October 12, 2015
ndj

(HARI PAL VERMA)
JUDGE