

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.13149 of 2016

Date of Decision: 08.07.2016

Ramu Singh

... Petitioner

Versus

State of Haryana and others

... Respondents

CORAM:- HON'BLE MR. JUSTICE RAJIV NARAIN RAINA

Present: Mr. Paramjit Singh Jammu, Advocate,
for the petitioner.

1. To be referred to the Reporters or not?
2. Whether the judgment should be reported in the Digest?

RAJIV NARAIN RAINA, J.

1. With the winding up of the HSMITC where the petitioner was once employed as the Ferro Printer serving there for eight years his rights claimed in this petition have come to an end so far as the corporation is concerned. While working for HSMITC the petitioner applied to the Haryana Staff Selection Commission for direct recruitment to post advertised in the Education Department, Haryana where he was successful and joined service on appointment offered. He retired from Government service on reaching the age of superannuation in the year 2012. It may be noticed that the petitioner had resigned from HSMITC before he took up employment in his new assignment under the State Government.

2. In this petition, he claims that the period spent in HSMITC should be clubbed with the service spent under the Haryana Government as qualifying service towards pension to enhance it. The prayer is patently misconceived. His rights flowing from service in HSMITC stand

extinguished; firstly, they cease to subsist with his act of tendering resignation from service before joining Government service, and then with the closing down of the Corporation itself which ceased to exist long ago. Besides, there is no rule produced or shown at the hearing under which the petitioner claims clubbing of both services for purposes of award of pro rata pension. It is not even disclosed in the petition whether corporation service was pensionable, not would that alone make the difference.

3. Moreover, the approach to this Court is belated. The petitioner retired in 2012 and has approached this Court in 2016 for the relief claimed. Even assuming that the petitioner has a glint of a right, though he has apparently none, it stands extinguished by long lapse of time. The petition, is therefore liable to be dismissed on point of delay and laches as well.

4. This Court finds no valid ground to interfere in the petition which is devoid of merit and is accordingly dismissed.

(RAJIV NARAIN RAINA)
JUDGE

08.07.2016
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