

CWP No.23210 of 2011

#1# Manoj Kumar
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IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No.23210 of 2011

Date of decision: 16.08.2016

Kuldeep Singh

....Petitioner

Vs.

President, Siri Guru Ram Dass Charitable Hospital Trust & Ors.

....Respondents

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. Anil Chawla, Advocate for the petitioner.

Mr. Ashok Sharma, Advocate for the respondents.

Jaswant Singh, J

Petitioner, who is working as Lab Technician in Sri Guru Ram Dass Charitable Hospital, Sri Amritsar (for short "the Trust"), has prayed for issuance of a writ of Mandamus directing respondent Nos.1 to 4 to decide his claim in the light of representations/reminders dated 29.4.1997 (P.7), 19.1.2001 (P.8), 22.3.2006 (P.9) and 24.5.2006 (P.10) filed by him seeking for grant of annual increments, seniority and fixation of his pay at par with his juniors/respondent Nos.5 to 9.

It is contended by learned counsel for the petitioner that despite numerous representations, the claim of the petitioner has not been considered by respondent Nos.1 to 4, who are the President, Secretary, Director Principal and Medical Superintendent respectively of the 'Trust'.

During the course of arguments, a query was put by this Court to learned counsel for the petitioner with regard to the maintainability of the present writ petition against the Trust.

Learned counsel for the petitioner has not been able to point out from the averments made in the writ petition as to how the Trust is amenable to writ jurisdiction of this Court under Article 226/227 of the Constitution without there being any pleadings or assertions thereto. He has not been able to substantiate from any material available on record, in order to satisfy this Court as to how the relief of parity and equal treatment can be claimed by the petitioner qua his co-employees i.e respondent Nos.5 to 9, who are working in a charitable Trust.

Dismissed. However, the petitioner may pursue his remedy, if so advised, available in accordance with law.

August 16, 2016
manoj

(JASWANT SINGH)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable : Yes/No