

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

**CWP No.16424 of 2016 (O&M)  
Date of decision : August 12, 2016**

**Chamba Ram**

**..... Petitioner**

**Versus**

**State of Punjab and another**

**..... Respondents**

**CORAM : HON'BLE MR. JUSTICE KULDIP SINGH**

**Present:-** Mr. Vipen Dhingra, Advocate for the petitioner.

1. Whether the Reporters of local newspaper may be allowed to see the judgment ?
2. To be referred to the Reporter or not.
3. Whether the judgment should be reported in the digest ?

**KULDIP SINGH J. (ORAL)**

Petitioner claims that he joined as J.B.T. Teacher in the year 1975. There were instructions of Government of Punjab dated 23.07.1957, wherein the Government had decided that the teachers working in the Education Department will be entitled to the pay scales according to the qualifications possessed by them.

It is stated that the same benefit was not granted to the petitioner. The teachers possessing the qualifications of B.A. Part-I, II and III approached this Court by way of filing of different writ petitions for grant of higher pay scale in view of higher qualification, which was decided by this Court vide order dated 20.07.1976 passed in CWP No.1810 of 1976. The SLP filed by the State was dismissed vide order dated 07.08.1979.

It is further stated that some of the similarly situated persons approached this Court by way of filing CWP No.124 of 1995, titled as "Baldev Raj and others v State of Punjab and others". The same was disposed of with a direction to DPI to decide the representation of the

petitioners. Accordingly, DPI issued instructions dated 03.07.1995.

It is further claimed that other petitions were decided on 15.04.2009 (Annexure P-6). The petitioner had retired from service in the year 2006. It is also claimed that the petitioner was not granted proper pay scale according to his qualifications.

I am of the view that when the petitioner joined his services, the instructions of 1957 of the Government were already there. During his entire service, the petitioner did not approach this Court or the authorities for grant of higher pay scale as per his qualifications. The first writ petition decided way back in the year 1976 when the petitioner had just joined his services. Later on, the writ petition was decided in the year 2009. Even after 2009, he did not approach. Now seven years have elapsed, therefore, on the ground of laches, no writ can be issued.

As such, the present writ petition is dismissed.

**(KULDIP SINGH)**  
**JUDGE**

**August 12, 2016**

sarita

Whether speaking / reasoned                      Yes

Whether Reportable:                                      No