

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.7149 of 2016
Decided on : 26.04.2016

Manmohan Singh

... Petitioner

Versus

State of Punjab & others

... Respondents

CORAM : HON'BLE MR.JUSTICE G.S. SANDHAWALIA

Present : Mr.S.S.Chauhan, Advocate, for the petitioner.

G.S. Sandhawalia, J. (Oral)

Petitioner challenges the order dated 01.04.2013 (Annexure P1) whereby he had been partly given the benefit, as per the order passed in CWP-17917-2011 titled *Om Parkash Verma & others Vs. State of Punjab & others*, decided on 22.09.2011. Resultantly, the petitioner seeks a direction that protection of pay be granted along with an increment for discharge of higher responsible duties and his pay be fixed in higher post with all consequential benefits like re-fixation of pay, payment of arrears and revision of pay.

It is not disputed that the petitioner came earlier to this Court in the above-said case, claiming that he was a retired Centre Head Teacher and was entitled for the emoluments attached to the post of the Block Primary Education Officer, for the period he had actually worked against the said post. Accordingly, direction had been issued that the emoluments attached to the post which he

had actually worked, be paid to him as had been directed in CWP-4552-2003 titled *Darshan Singh & others Vs. Punjab State*. The petitioner has, admittedly, been given the said benefits from 01.10.2008 to 31.10.2009, as per the impugned order. It is, thereafter, he, now, has revived his claim for the additional increment along with consequential benefits.

It is not disputed that the petitioner has retired from the post of Central Head Teacher and had worked on the temporary post of BPEO and for that, he has been granted the necessary benefits. His pay was to revert back after the charge was taken from him. The request, thereafter, for further benefits by way of revision of pension etc., is totally unsubstantiated and without any basis. Even otherwise, the second petition, on the same cause of action, would not be maintainable as earlier also in Darshan Singh's case (supra), the petitioners had asked for the same relief but were only held entitled for the emoluments attached to the higher post for the period they had actually worked against. The petitioner was also there given the same relief. In such circumstances, there is no scope for interference.

Accordingly, finding no merit in the present writ petition, the same is hereby dismissed in limine.

APRIL 26, 2016
sailsh

(G.S. SANDHAWALIA)
JUDGE