

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

LPA No. 467 of 2016 O&M)
Date of decision: 30.3.2016

Sh. Krishan Dangi

.. Appellant

v.

State of Haryana and others

.. Respondents

CORAM: HON'BLE MR. JUSTICE RAJESH BINDAL
HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

Present: Mr. S. S. Sahu, Advocate for the appellant.

...

Rajesh Bindal J.

Aggrieved against the impugned order passed by the learned Single Judge in the writ petition filed by the appellant, the present appeal has been preferred under Clause X of the Letters Patent Act. Along with the appeal, an application seeking condonation of delay of 345 days in filing thereof has also been filed.

The appellant in the present case claimed that he having qualification of Matric with ITI should have been granted technical pay scale of ₹ 1200-2040. The appellant was initially appointed as Helper-Carpenter in the pay scale of ₹ 750-940. On some occasions, he was being directed to work as Carpenter also. There being only one post of Carpenter in the office and a person senior to the appellant already occupying the post, the claim of the appellant that he should have been treated to have been appointed as Carpenter and granted the technical pay scale considering the qualification was declined by the learned Single Judge. Once the appellant was appointed against a specific post in specific pay scale, to claim later on

that he should have been appointed on a higher post and granted pay scale keeping in view his qualification was rightly declined by the learned Single Judge. There is no error in the impugned order.

The appeal is accompanied by an application seeking condonation of delay of 345 days in filing thereof. The ground raised is that after the writ petition was listed for hearing 20 years after it was admitted, though the counsel appeared and argued the matter, but he could not inform the applicant-appellant as he was not having his contact number. The reason cannot be accepted as such as the address of the applicant-appellant remained the same, as is evident from memo of parties in the writ petition and the present appeal. Hence, we do not find any good reason to condone the delay of 345 days in filing the appeal.

For the reasons mentioned above, the appeal as well as the application for condonation of delay are dismissed.

(Rajesh Bindal)
Judge

(Harinder Singh Sidhu)
Judge

30.3.2016
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