

**RA-CW-265-2015 in
CWP-18645-2012**

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

**RA-CW-265-2015 in
CWP-18645-2012
Date of decision : 28.01.2016**

Mahender Singh

..... Petitioner

versus

State of Haryana and others

..... Respondents

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

Present : Mr.N.R.Dahiya, Advocate
for the applicant-petitioner.

Mr. Pawan Kumar Jhangra, Additional A.G. and
Mr.Kapil Bansal, DAG, Haryana.

Mr. Devinder Singh, Advocate
for respondents No.3 & 4.

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

AJAY TEWARI, J. (Oral)

Reply on behalf of respondents No.3 and 4 has been filed and
the same is taken on record. Copy supplied to the counsel opposite.

This application has been filed for reviewing the judgment and
order dated 11.05.2015. In that judgment though the claim of the petitioner
was accepted yet with regard to the increased pay and allowance, it was held
as follows :-

*“In my opinion, there is some weight in the argument of
the learned counsel for the petitioner. Resultantly, the petition
stands disposed of with a direction to the respondent-State to*

grant notional step up to the petitioner equal to Sh. Wazir Singh from the date of promotion i.e. 18.09.2002. The actual relief of payment will however be restricted for a period of 38 months prior to 08.09.2011 i.e. the date of filing the representation.”

Learned counsel for the applicant-petitioner has argued that inadvertently it could not be brought to the notice of the Court that the document Annexure P-5 by which the pay was increased was issued only on 05.03.2009 and, therefore, there was not such inordinate delay and laches which would dis-entitle the applicant-petitioner from claiming the admissible benefit of that letter and, therefore, the limitation that the benefit would be restricted to a period of 38 months prior to the date of filing the representation should be removed.

Learned Additional Advocate General and learned counsel for the respondents No. 3 & 4 have accepted these factual assertions.

In these circumstances it is clear that there is an error apparent on the record. This document Annexure P-5 was placed on the record with the petition. Consequently the prayer is allowed and the restriction that the actual relief of payment would be limited to a period of 38 months prior to the date of filing the representation would be removed from the order.

Review application stands disposed of.

**(AJAY TEWARI)
JUDGE**

28.01.2016

Pooja Sharma-I