

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-11406-1998 (O&M)
Date of decision: 09.03.2017

Charanjit Kumar Sharma

.....Petitioner

versus

State of Punjab and another

.....Respondents

CORAM: Hon'ble Mr.Justice Kuldip Singh

Present: Mr.Navdeep Singh Brar, Advocate for the petitioner
Mr.R.S.Pathania, DAG Punjab

- 1. Whether Reporters of Local Newspapers 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?*

Kuldip Singh, J. (Oral)

Claim of the petitioner is that he joined as Social Study Master on 17.8.1962 and was regularised in the master cadre on 20.12.1965 and retired as Lecturer Political Science on 28.2.1998 from Government Senior Secondary School (Boys) Kotkapura, District Faridkot. It is further claimed that one Ajit Singh has joined as Maths Master on 5.9.1970 and was regularised in the master cadre on 1.1.1973 and later on worked as Lecturer of Commerce in Government Senior Secondary School (Boys) Kotkapura, District Faridkot i.e. the same school where the petitioner was working. Petitioner claims that said Ajit Singh was junior to him since he was regularised as master later on. On 1.1.1978, the petitioner was getting salary of Rs.750/- and Ajit Singh was getting salary of Rs.725/-. It is further stated that Ajit Singh had filed CWP No.6418 of 1989 titled as Inder Pal Mehta and others vs. State of Punjab, wherein said Ajit Singh is petitioner at serial no.31. In that said writ petition, the petitioners had prayed for re-fixation of

their pay on acquiring Post Graduate qualification by allowing 2/3 increments. The said writ petition was allowed in terms of CWP No.17005 of 1989 titled as Rawail Singh vs. State of Punjab, decided on 1.3.1995. However, after filing of the contempt petition, the orders were passed whereby Ajit Singh was granted higher pay and his pay was stepped up equal to his junior Sadhu Ram Bansal on 20.6.1978 vide order dated 8.8.1997 (Annexure P1). It is further claimed that Ajit Singh was earlier getting less pay inspite of availing benefit of increment on acquiring post graduation.

After hearing learned counsel for the parties, I am of the view that on account of acquiring higher qualification by Ajit Singh, the Court had allowed him higher salary and his salary was stepped up at par with his junior on 20.6.1978. Petitioner remained silent for almost 20 years. He retired from the service on 28.2.1998 and thereafter, now he claims salary equal to his junior Ajit Singh. I am of the view that the petition is badly barred by delay and laches and is accordingly dismissed.

09.03.2017*gk***(Kuldip Singh)
Judge**

Whether speaking/ reasoned:

Yes

Whether Reportable:

No