

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP- 12452-2017 (O&M)
Date of decision: 01.06.2017

Deva Ram

.....Petitioner

versus

State of Haryana and others

.....Respondents

CORAM: Hon'ble Mr.Justice Kuldip Singh

Present: Ms.Satinder Kaur, Advocate for the petitioner

- 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)

Petitioner was initially appointed as a Peon in the office of Deputy Commissioner Ambala. Thereafter, he was promoted as a Clerk on 24.8.1995. As per the instructions of the Government applicable at that time, he was required to pass the typing test, which he did not pass. Therefore, he was denied annual increments from the year 1996 to 2006. However, he was granted benefit of first ACP vide order endorsed on 12.5.2011. Petitioner retired from service on 28.2.2015 and claims that he was wrongly denied the said increments and that the same should be granted in view of principle of equal pay equal work and he should be granted pension and pensionary benefits after refixing his last drawn pay.

After considering the facts of the case, I am of the view that the annual increments were denied from the year 1996 to 2006 i.e. for 10 years only on the ground that the petitioner has not passed the typing test, which was mandatory under the instructions. The petitioner was required to

challenge the order of denial of increments on the basis of non-passing of the typing test within a reasonable time. Now about 11 years have elapsed, since his last increment which was not granted in the year 2006.

The writ petition is barred by delay and latches. The same is dismissed accordingly.

01.06.2017

gk

**(Kuldip Singh)
Judge**

Whether speaking/ reasoned:

Yes

Whether Reportable:

No