

I am of the view that apparently after the fixation of pay on 1.1.1996, the parties might have chosen the different date of increment with the result that the date of increment of the petitioner was in August and that of his junior Malkit Singh was in February, with the result that the said

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Malkit Singh will get higher pay with effect from February and the petitioner will get the same pay from the month of August. The petitioner was getting salary of Rs. 7750/- with effect from 3.8.2001 and his junior Malkit Singh was getting salary of Rs. 8000/- with effect from 20.2.2002, meaning thereby that on 20.2.2001, he was getting salary lesser than Rs. 8000/-. This is due to difference in the month of increment. After 2002, the petitioner remained silent for nearly 16 years. Even during the service till his retirement in the year 2007, he did not raise any objection regarding the month of the increment. It is not a case of lesser fixation of pay, but difference of some pay due to date of increment. It being so, this Court is not inclined to entertain the present writ petition on the ground of delay and laches and on the ground that the difference of salary was only for few months only on account of different month of increment.

In view of the matter, the present writ petition is dismissed.

(KULDIP SINGH)
JUDGE

4.5.2017
sjks

Whether speaking / reasoned : Yes

Whether Reportable : No