

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

RSA No. 3382 of 2012 (O&M)
Date of decision : May 14, 2018

Ram Saran

..... Appellant

v.

Dakshni Haryana Bijli Vitran Nigam Limited and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. Vikas Chatrath, Advocate
for the appellant.

Mr. Saurabh Goel, Advocate
for the respondents.

Ajay Tewari, J (Oral)

After arguing for some time, counsel for the appellant prays for permission to withdraw this appeal with the caveat that one of the main reasons which weighed with the Courts below in rejecting the claim of the appellant was the fact that he had not been able to show that any person junior to him as LDC was getting higher pay than him as a result of the ACP scheme.

As per the learned counsel, the appellant be granted liberty that in case there is any person who was junior to him but was given higher pay scale on coming into force of the ACP scheme, then he may be allowed to represent to the respondents in respect of that anomaly.

Counsel for the respondents states that as a matter of fact if there is such an anomaly, it would be an independent cause of action and consequently there is strictly no need to grant any liberty to the appellant.

Having heard counsel for the parties, I dismiss this appeal as withdrawn with a liberty that in case the appellant is able to show that any person junior to him as LDC was granted higher pay scale after coming into force of the ACP scheme, he would be entitled to seek correction of that anomaly.

Since the main case has been decided, the pending C.Ms, if any, also stand disposed of.

May 14, 2018
'kk'

(AJAY TEWARI)
JUDGE

Whether speaking/reasoned:
Whether Reportable:

Yes/No
Yes/No