

**CM-4342-4343-LPA-2017 in/and
LPA-1993-2017 (O&M)**

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

**CM-4342-4343-LPA-2017 in/and
LPA-1993-2017 (O&M)
Date of Decision: August 06, 2018**

Madan Lal VermaAppellant
Versus
State of Punjab and anotherRespondents

**CORAM: HON'BLE MR.JUSTICE SURYA KANT
HON'BLE MR. JUSTICE SUDIP AHLUWALIA**

Present: Mr.Ruhani Chadha, Advocate for the appellant.

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SURYA KANT, J.(ORAL)

CM-4342-LPA-2017

Application is allowed subject to all just exceptions.

CM stands disposed of.

LPA-1993-2017

The instant Letters Patent appeal assails the order dated 07.06.2016 whereby claim of the appellant for grant of revised pay scale of ₹200-450 w.e.f. 26.06.1968 and ₹225-500 w.e.f. 01.02.1971 has been declined by the learned Single Judge on the ground of inordinate delay and laches of almost 36 years, as well as on merits.

[2] The appeal is accompanied with an application seeking condonation of delay of 391 days in filing the same. It is averred in the application that because of old age, the appellant could not visit Chandigarh frequently and it was in July 2017 that he could file the appeal.

[3] Regardless of the delay of more than one year in filing the appeal, we have heard learned counsel for the appellant on merits and gone

through the judgment of learned Single Judge. It has been found, as a matter of fact, that pay scale of ₹160-400 was admissible and granted to the appellant at the time of regularisation of the services i.e. 01.01.1973 which was further revised to ₹225-500 w.e.f. 16.07.1973. It has also been clarified that though relaxation was given to Punjabi and Hindi Instructors like the appellant for the purpose of regularisation of their services, but no such concession was admissible or given for the purpose of grant of higher pay scale. It has further been explained that the appellant cannot claim parity with Yashpal Singla, whose civil suit was decreed, for the reason that the appellant did not have 32 years of regular service to claim the benefit of 'Assured Career Progression Scheme', though he was entitled to the benefit of 8-18 years of service ,which were actually granted to him w.e.f. 01.07.1986 and 27.01.1991, respectively.

[4] We find that the learned Single Judge has examined appellant's claim minutely even though it has also been held that such claim was raised by the appellant at a highly belated stage.

[5] In the facts and circumstances of the case, we do not find any ground to interfere with the order passed by the learned Singe Judge.

[6] Dismissed.

**(SURYA KANT)
JUDGE**

August 06, 2018
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**(SUDIP AHLUWALIA)
JUDGE**

1. Whether speaking/reasoned ?
2. Whether reportable ?

Yes/No
Yes/No