

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

LPA No.2447 of 2017 (O&M)
in CWP No.20986 of 2017
Date of decision: 08.01.2018

Raj Kumar

.... Appellant

Versus

State of Haryana and another

.... Respondents

CORAM: HON'BLE MR. JUSTICE RAJESH BINDAL.
HON'BLE MR. JUSTICE B.S. WALIA.

Present: Mr. Bhupinder Singh Bairagi, Advocate for the appellant.

Rajesh Bindal, J.

By filing the present intra-court appeal, order passed by the learned Single Judge dated 15.09.2017 has been challenged whereby the writ petition filed by the petitioner claiming release of monetary benefits and deemed date of seniority i.e. from 1991 was dismissed.

The appellant claimed that though he was selected in the year 1991, but was not permitted to join service. He filed CWP No.15910 of 1992 which was decided in his favour on 14.05.2010. He was given appointment and permitted to join, however, without any benefit for the period from the year 1991. Thereafter he filed CWP No.11087 of 2015 claiming the benefits from the year 1991. The same was dismissed as withdrawn on 15.02.2017 with liberty to file application for review in the earlier writ petition bearing CWP No.15910 of 1992 which was decided on

14.05.2010. Review application filed by the appellant was dismissed on 24.04.2017 (Annexure P-6).

Considering the aforesaid facts, learned Single Judge dismissed the writ petition filed by the appellant being devoid of merits. There is no error in the order passed by the learned Single Judge as relief, whichever was admissible to the appellant when he filed CWP No.15910 of 1992 claiming appointment, could be claimed at that stage only and not piecemeal.

Consequently, the present appeal is dismissed and application seeking condonation of 59 days' delay in filing the appeal is also dismissed.

(Rajesh Bindal)
Judge

(B.S. Walia)
Judge

08.01.2018
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1. Whether speaking/reasoned: Yes/No.
2. Whether reportable : Yes/No.