

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP-15079-1997

Date of Decision:-04.12.2019.

Chattar Singh Chauhan

.....Petitioner

Versus

Union of India and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE SANJAY KUMAR

Present: Mr. Naresh Kumar, Advocate for
Mr. K.S. Dadwal, Advocate for the petitioner.

None for respondent No.1.

Mr. S.C. Pathela, Advocate for respondent Nos.2 to 5.

SANJAY KUMAR, J. (Oral)

The prayer of the petitioner in this case was to direct the Oriental Insurance Company Limited, the second respondent, to place him in Grade-I w.e.f. 14.05.1990, being the date on which he was confirmed in Grade-II.

Perusal of the instructions dated 30.07.1990 (Annexure P-6) issued by the General Insurance Corporation of India, reflects that a Development Officer who is confirmed in Grade-II may be considered for placement in Grade-I subject to his completing the target of achieving 3.5 lakhs, in centers other than cities with population exceeding 5 lakhs, within the first year of his performance. It is an admitted fact that the petitioner did

not achieve this target as the business procured by him in his first year was Rs.1,94,218/-. The claim of the petitioner, however, is that others similarly situated were granted the benefit of being placed in Grade-I. Perusal of the petition manifests that it is not the case of the petitioner that it was the Oriental Insurance Company Limited that granted such benefit.

The written statement filed by the said Insurance Company, insofar as it relates to this allegation, reveals that the Company claimed that no such order had been passed by any of the subsidiary companies of the General Insurance Company to its knowledge and even if such order was passed, it would be illegal.

Needless to state, there can be no equality in perpetuation of illegality. The claim of the petitioner therefore does not merit consideration, be it viewed from any angle.

The writ petition is devoid of merit and is accordingly dismissed.

No order as to costs.

(SANJAY KUMAR)
JUDGE

December 04, 2019.

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Whether speaking/reasoned:-

Yes / No

Whether Reportable:-

Yes / No.