

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

LPA-933-2019 (O&M)

Date of decision:- 20.05.2019

Surinder Kumar

...Appellant

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE KRISHNA MURARI, CHIEF JUSTICE
HON'BLE MR. JUSTICE ARUN PALLI

Present:- Mr. Jitender Singh Dadwal, Advocate,
for the appellant.

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KRISHNA MURARI, C.J. (ORAL)

This intra court appeal under clause X of the Letters Patent is directed against the judgement and order dated 20.03.2019 passed by the learned Single Judge dismissing the writ petition filed by the petitioner (appellant herein) seeking reinstatement on the basis of parity on the ground that certain other similarly situated SPOs have been reinstated.

The facts to be noted are that the appellant was dismissed from service on 23.11.1998. After about twenty years, he made an application under the Right to Information Act, 2005 trying to find out if any other SPO has been reinstated and now after getting information that some similarly situated persons have been reinstated, he approached this Court seeking the relief on the basis of parity. The learned Single Judge has dismissed the writ petition on the ground that nobody can be allowed to base his claim on negative equality. We are also of the same view. The appellant cannot claim parity on negative equality or to an illegality if it has happened. Apart from

above, there is an unexplained delay of about twenty years in approaching this Court.

2. For all the aforesaid reasons, no interference is required in the order passed by the learned Single Judge.
3. The appeal is devoid of merits and accordingly stands dismissed.

(KRISHNA MURARI)

CHIEF JUSTICE

(ARUN PALLI)

JUDGE

20.05.2019

Anodh

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No