

**109+111 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CWP No.2846 of 2020

Date of Decision: 3.2.2020

Kashmiri Lal

.....Petitioner

Versus

State of Haryana and others

.....Respondents

CWP No.2863 of 2020

Sewa Singh

.....Petitioner

Versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MS. JUSTICE NIRMALJIT KAUR

Present: Mr. Chandra Sekhar, Advocate for
Mr. Umesh Narang, Advocate, for the petitioner.

Mr. Pankaj Mulwani, Deputy Advocate General, Haryana.

NIRMALJIT KAUR, J. (ORAL)

The above mentioned writ petitions shall stand disposed of by this common order. However, for convenience the facts have been taken from CWP-2846-2020.

CWP-2846-2020 is filed for grant the benefit of step up of pay to the petitioner at par with his junior counterpart from the date of his promotion as Master with all consequential benefits.

Learned counsel for the petitioner was heard at length.

It has been brought to notice of this Court by learned State counsel that the petitioner had earlier filed CWP-7555-2019 on the same cause of action, which was dismissed as withdrawn on 19.3.2019 with

liberty to file a fresh one on the same cause of action with better particulars including the 'order' to show that Hari Singh was junior to the petitioner.

Except an averment that the petitioner was junior to Hari Singh, there is nothing else on record to show the same. The petitioner is praying for stepping up of his pay for having caught up with his junior, who belonged to the SC Category, but nothing has been placed on record to show that the petitioner was ever able to catch up with his junior at any stage or at any post. Moreover, the petitioner is praying for stepping up of pay from the date his junior was promoted, which was granted w.e.f. 1985 vide 4.8.2000. The petitioner retired in the year 2012. He did not make any prayer during service. Twenty years have passed since then. He filed the earlier writ petition after almost 7 years of his retirement and 20 years from the cause of action, which is hopelessly time barred.

In view of the above, the present writ petitions are dismissed both on account of delay and laches as well as on merit.

(NIRMALJIT KAUR)
JUDGE

3.2.2020
sharmila

Whether Speaking/Reasoned	:	Yes/No
Whether Reportable	:	Yes/No