

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

RA-LP No. 18 of 2020 (O&M) in
LPA No. 616 of 2014 in
CWP No. 22045 of 2013
Date of Decision: 17.03.2020

Gian Singh

.....Appellant

Versus

State of Haryana and another

.....Respondents

**CORAM: HON'BLE MR. JUSTICE JASWANT SINGH
 HON'BLE MR. JUSTICE SANT PARKASH**

Present: Mr. Sandeep Panwar, Advocate
 for the **applicant**-appellant.

JASWANT SINGH, J. (ORAL)

The applicant-appellant (*Gian Singh*) has filed the present Review Application seeking review of the judgment dated 10.08.2015 passed in *Letters Patent Appeal (LPA) No. 616 of 2014* alongwith an application bearing *CM No. 373-LPA of 2020* seeking condonation of delay of 1597 days in filing the Review Application.

Heard learned counsel for the applicant-appellant.

The applicant-appellant (*Gian Singh*), on 23.02.1972, had joined as a Sectional Officer in Public Works Department (Buildings & Roads Branch), Government of Haryana on regular basis. He acquired the Degree of Associate Members of Institution of Engineers (in short "AMIE") in August 1978, and was promoted on *ad hoc* basis to the post of Sub Divisional Engineer (SDE) w.e.f 02.12.1981. Since the department had not granted promotion to the

Junior Engineers possessing the AMIE Degrees against available vacancies in their quota since the year 1977 onwards, the applicant-appellant (*Gian Singh*), during his service, filed a writ petition bearing *CWP No. 10931 of 1990*, which was disposed of vide order dated 18.01.2011 with the direction to the department “*to consider the respective claims for promotion of the petitioner therein to the post of Sub Divisional Engineer against the vacancies in the year in which he had become eligible on passing the AMIE Degree*”. The similar writ petition bearing *CWP No. 15794 of 2013* filed by the petitioners therein was disposed of vide order dated 20.01.2014 (**Annexure A-1**) in terms of the aforesaid judgment dated 18.01.2011 passed in *Gian Singh's* (applicant-appellant herein) case. Accordingly, the petitioners, and the similarly situated Junior Engineers were promoted with retrospective effects, however on notional basis. The applicant-appellant filed a writ petition bearing *CWP No. 22045 of 2013*, challenging the denial of the full benefits of retrospective promotion, however the said writ petition was dismissed vide order dated 20.01.2014, upholding the grant of notional promotion without monetary benefits. The said decision was upheld in the aforementioned *LPA No. 616 of 2014* vide order dated 10.08.2015.

Now, the applicant-appellant has filed the present Review Application on the ground that the identically placed Junior Engineers were extended the benefits including salary in pursuance to an order dated 24.03.2017 (**Annexure A-2**) passed by learned

in CWP No. 15794 of 2013, seeking to review of the initial order dated 20.01.2014 **(A-1)**, hence, the present prayer.

It is conceded that the applicant-appellant stands retired on attaining the age of superannuation w.e.f. 31.08.2006. He cannot also claim parity on account of the decision passed in review by similarly situated employee(a), after having accepted the initial order dated 20.01.2014 **(A-1)**. Merely because a subsequent order passed in review application in case of other employees, we find no ground to seek the recalling / review of the order dated 10.08.2015 passed by the LPA Bench.

Review application is hereby **dismissed** and the **application** seeking condonation of delay of **1597 days** in filing the Review Application also stands **dismissed**.

(JASWANT SINGH)
JUDGE

March 17, 2020
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(SANT PARKASH)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No