

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

219

CWP-16951-2017

Date of Decision: 19.02.2020

Ram Avtar

..... Petitioner

Versus

State of Haryana and others

..... Respondents

CORAM: HON'BLE MS. JUSTICE NIRMALJIT KAUR

Present: Mr. Vikas Kumar Dhariwal, Advocate for
Mr. S.K. Bhardwaj, Advocate,
for the petitioner.

Mr. Gaurav Jindal, Addl. A.G., Haryana.

NIRMALJIT KAUR, J (ORAL)

The prayer in the present petition is for setting aside the order dated 26.04.2013 (Annexure P-3) to the extent the arrears of revised pay is restricted to 38 months prior to the filing of writ petition instead of granting the arrears of revised pay scale w.e.f. 01.02.1981 as has been granted to other similarly situated employees vide judgment dated 07.12.2011 (Annexure P-1) and judgment and decree dated 28.10.2014.

Hence, there is no merit in the prayer of the petitioner. The petitioner had earlier filed a writ petition No. 24896 way back in the year 2012, which was disposed of on 14.12.2012. A perusal of the said order

placed on record as Annexure P-2 shows that it was the stand of the petitioner that his relief may be restricted to 38 months prior to the date of the claim, which was submitted by him.

In spite of this, the present writ petition has been filed seeking his revision of pay along with arrears from the year 1981, whereas, the first writ petition was filed in the year 2012 i.e. after a gap of more than 30 years. The case of the petitioner, therefore, could have been dismissed on this ground of delay and laches alone but the respondents seem to have taken a lenient view and granted the same while restricting the arrears from 38 months prior to the filing of the writ petition.

Dismissed accordingly. This Court has restrained itself from dismissing the same with costs.

(NIRMALJIT KAUR)
JUDGE

19.02.2020
Satyawar

Whether speaking/reasoned : Yes/No.
Whether reportable : Yes/No.