

**CM-3697-CWP-2020 in/and
CWP-5993-2015**

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

**CM-3697-CWP-2020 in/and
CWP-5993-2015
Date of decision: 05.03.2020**

Om Parkash

...Petitioner(s)

V/s.

State of Haryana and others

...Respondent(s)

CORAM: HON'BLE MS. JUSTICE RITU BAHRI.

Present: Mr. N.K. Malhotra, Advocate
for the petitioner.

Mr. Harish Nain, AAG, Haryana.

RITU BAHRI, J. (Oral).

CM-3697-CWP-2020

Application for placing on record Annexure P-20 is allowed
and the same is taken on record.

CWP-5993-2015

By this petition, the petitioner is seeking quashing of letter
dated 09.10.2012 (Annexure P-6) whereby his claim for granting pay scale
similar to respondent No. 4 has been rejected.

The petitioner was appointed as Beldar in the respondent
department on 25.11.1992 on muster rolls. Thereafter he was promoted as
ADM (Auto Diesel Mechanic)/Welder on 01.07.2008 and is working on this
post under the supervision of respondents No. 2 and 3. The petitioner filed
CWP-19127-1996 for regularization which was disposed of with direction
to the respondents to regularize his services w.e.f. 01.02.1996. The

grievance of the petitioner is that on 12.09.2002, private respondent No. 4 who was working as Beldar was converted to the post of Welder and he was getting salary higher than the petitioner.

On notice of this petition, written statement on behalf of respondents No. 1 to 3 has been filed. Learned counsel for the State while referring to written statement states that petitioner was promoted from the post of Beldar to the post of ADM (Auto Diesel Mechanic)/Welder in the year 2008 which is higher post. The petitioner cannot claim parity with respondent No. 4 since both are working on different posts in different field.

Further, the cause of action to challenge the conversion or claiming parity with respondent No. 4, was with the petitioner on 12.09.2002. The petitioner has now approached this Court in the year 2015. No cause of action survives on the ground of delay itself.

Dismissed.

**(RITU BAHRI)
JUDGE**

05.03.2020
Divyanshi

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