

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

121

CWP-2763-2021

Date of decision: 09.02.2021

KARTAR SINGH DALAL

...Petitioner

Versus

STATE OF HARYANA AND ANOTHER

...Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present : Mr. Vikas P. Singh, Advocate for the petitioner.

ANIL KSHETARPAL, J. (Oral)

The petitioner was appointed as Junior Engineer, during strike period, on 20.01.1997. His service was retrenched on 07.08.2000. The petitioner filed CWP No.10548 of 2000 challenging retrenchment. During the pendency of the writ petition, the Principal Secretary advised for withdrawal of retrenchment. The petitioner was appointed afresh on 31.08.2006. He was thereafter, promoted as Assistant Engineer on 21.07.2017. Through this petition, the petitioner prays that his period from 20.01.1997 should be counted for full service benefits. It is not in dispute that the petitioner was appointed afresh on 31.08.2006. He never questioned the aforesaid appointment. Thereafter, he was promoted in the year 2017. However, the petitioner never made any claim on the ground that he was appointed on 20.01.1997. In view thereof, in the absence of any rule or instructions, the petitioner is not entitled to his service being counted from 20.01.1997. Learned counsel for the petitioner failed to make out a case for issuance of writ as prayed for.

Hence, dismissed.

09.02.2021

ashok

**(ANIL KSHETARPAL)
JUDGE**

Whether speaking/reasoned:
Whether reportable:

Yes / No
Yes / No