

Sr. No.324

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-15089-1996

Date of decision: 05.04.2022

Jai Ram

...Petitioner

Vs.

State of Haryana and another

...Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present: None for the petitioner.

Mr. R.K.S. Brar, Additional A.G., Haryana.

ARUN MONGA, J. (ORAL)

Petition was filed in the year 1996, *inter alia* seeking issuance of a writ in the nature of mandamus directing the respondents to put the petitioner in the revised scale of Rs.1640-2900/- meant for the post of Head Assistant with effect from 17.03.1989 with consequential benefits

Petition was admitted on 26.09.1996.

When called out for hearing, there is no representation on behalf of the petitioner. It seems that by sheer effluxion of time and pendency of the writ petition for more than 25 years before this Court, either it has been rendered infructuous or even otherwise the petitioner seems to have lost interest in pursuing the same.

In any case, it appears that even on merits claim of the petitioner is not admissible in view of the following stand taken in para 1 and 2 of the preliminary objections of the reply, which is reproduced herein for ready reference:-

1. *"That the petitioner was working as Head Assistant in the pay scale of Rs.700-1250 which was revised to 1600-2660 w.e.f. 1.1.86. The petitioner was entitled to the revised pay scale of Rs.1600-2660, therefore no legal right of the petitioner has been infringed which entitled him to file the present writ petition.*
2. *That the selection grade of 20% was allowed to the post of Head Assistant. But in the Head Office, there were only two post of Head Assistant on 01.01.86 and as such the petitioner was not entitled to the selection grade in view of the Haryana Govt. Instruction dated 15.02.85 (Annexure P-2)."*

Be that as it may, writ petition is disposed of with liberty to the petitioner to file an appropriate application in case, any cause of action still survives.

05.04.2022
vandana

(ARUN MONGA)
JUDGE

Whether speaking/reasoned:
Whether reportable:

Yes/No
Yes/No