

Sr. No.496

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH
CWP-1261-1999 (O&M)
Date of decision: 10.05.2022

Kanta Sharma

...Petitioner

Vs.

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present: Mr. Naresh Prabhakar, Advocate for the petitioner.

Mr. R.D.Sharma, DAG, Haryana.

ARUN MONGA, J. (ORAL)

Petition herein, *inter alia*, is for issuance of a writ in the nature of certiorari to quash all the orders vide which respondents No.5 to 7 have been posted as Personal Assistants with the Members of the Respondent Commission. Further prayer has been made to declare that the petitioner is entitled to Selection Grade from July, 1995 onwards.

2. Petition was admitted on 02.02.1999.

3. When called out for hearing, learned counsel is unable to assist the Court for lack of instructions. Learned counsel for the petitioner states that despite attempts, his office could not contact the petitioner. It seems that by sheer effluxion of time and pendency of the writ petition for more than 22 years before this Court, either it has been rendered infructuous or even otherwise the petitioner seems to have lost interest in pursuing the same.

4. 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 8 of the para-wise reply, which is reproduced herein for ready reference:-

“8. That the contents of para 8 of the writ petition as stated are not correct. It is submitted that the petitioner did not fulfill the eligibility conditions, for the grant of selection grade with effect from July, 1995. According to the letter dated 19.04.1999 received from the Chief Secretary to the Government of Haryana in response to the letter dated 10.02.1999 of the Commission for seeking clarification

from the State Government regarding the counting of the period of 12 years etc. for the purpose of granting selection grade to the personal Assistant, the Selection Grade of Rs.2000-3200 is to be given to the 20% of the total sanctioned posts of Personal Assistants and that too only to those personal Assistants who have completed 12 years of regular, satisfactory service on the said posts. Copy of the said letter dated 19.04.1999 along with translation in English is attached as Annexure R-1. Since the petitioner joined as a Personal Assistant on 27.05.1987 therefore she did not fulfill the eligibility conditions for the grant of selection grade of having completed 12 years regular satisfactory service and accordingly she was not entitled to get Selection Grade with effect from July, 1995 as claimed by her.”

- 5. Neither any replication has been filed to the afore noted stand of the respondents nor any additional affidavit of any kind to controvert the same.
- 6. In view of the aforesaid, no grounds are made out to interfere.
- 7. Dismissed.

10.05.2022
vandana

(ARUN MONGA)
JUDGE

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