

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

CWP-16185-2001 (O&M)

Date of decision: August 30, 2022

Azad Singh

.....Petitioner

versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present: None 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 for quashing the impugned order/ letter dated 13.02.2001 (Annexure P-2) whereby claim of the petitioner regarding grant of Ist ACP w.e.f. 01.02.1996 on completion of 10 years service has been rejected.

2. Petition was admitted for hearing in the year 2001.

3. When taken up for final adjudication, 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 21 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, learned State counsel submits that claim of the petitioner was accepted subsequent to the filing of the writ petition as is borne out from Paras-1 and 2 of the short reply filed on behalf of the respondents, and the same reads as under:-

- “1. That the petitioner has sought the indulgence of this Hon’ble Court and has prayed that the petitioner be given first assured career progression w.e.f. 1-2-1996 the date on which he was eligible. The petitioner has been granted first assured career progression scale by the respondent No.2 w.e.f. 1-3-1996 with due date as petitioner has passed the departmental examination in the month of February 1996 and become eligible for first assured career progression scale on the following month i.e. 3/1996 (Annexed as Annexure R-I) and accordingly the arrears of petitioner have been drawn by the answering respondent as well as Sub Divisional Officer (Civil), Meham and the same has been disbursed to the petitioner on 28-1-2002 and 31-1-2002 respectively (Annexed as Annexure R-II)
2. That since the relief as per eligibility of the petitioner details of which is mentioned in para 1 of this short reply has already been granted to the petitioner. So far as the grant of additional increment of higher responsibility on promotion as Kanungo is concerned, it is submitted as per introduction of new pay scale rules an employee is not entitled for promotional increment if he is getting identical pay scale on getting assured career progression scale of the promotional post before his promotion. As such the due relief/ benefit has been granted and there is no necessity for filing parawise written statement in the present Civil Writ Petition.”

5. In view of the aforesaid, writ petition is rendered infructuous and perhaps that is why, there is no appearance on behalf of the petitioner.

6. Disposed of, accordingly.

(ARUN MONGA)
JUDGE

August 30, 2022
mahavir

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No