

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

CWP-18052-1998 (O&M)

Date of decision: August 24, 2022

Chander Parkash

.....Petitioner

versus

State of Haryana and another

.....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 orders dated 26.02.1997 (Annexure P-1) to the extent it denies arrears of pay to the petitioner from the deemed date of promotion i.e., the date from which his juniors were promoted as the petitioner did not abstain from discharging his duties.

2. Petition was admitted for hearing on 25.01.2001.

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, from perusal of record/pleadings, it appears that even on merits, claim of the petitioner is not admissible. Reference may be had in particular to the stand taken in Para-4 of the preliminary objections of written

statement filed on behalf of respondents No.1 and 2 and the same reads as under:-

“4. That petitioner has been promoted to the post of Junior Auditor in view of judgment dated 5.9.92 and 6.8.96 of the Hon’ble Court w.e.f. 22.3.80. Statistical Assistant w.e.f. 11.8.94 and Assistant w.e.f. 5.6.96. It is however made clear that the Hon’ble Court vide his order dt. 5.9.92 and 6.8.96 has not granted any relief to the petitioner regarding arrear of pay from the deemed date of promotion. In compliance of the said order the plaintiff joined his duty as Assistant on 5.3.97 at circle office Kurukshetra. Copy of the said joining report is annexed at annexure R/1.”

5. Learned State counsel has canvassed arguments on similar lines as the stand taken in the written statement.

6. 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. I am in agreement with the stand taken by the respondents.

7. In the overall premise, I see no irregularity of any kind committed by the Department as to warrant any judicial intervention of this Court.

8. In view of the aforesaid, no grounds are made out to interfere.

9. Dismissed.

(ARUN MONGA)
JUDGE

August 24, 2022
mahavir

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No