

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

**CWP No.4370 of 2000 (O&M)
Date of decision: 23.05.2022**

Khem Karan

...Petitioner

Vs.

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 mandamus directing the respondents to pay the arrears of the post of Assistant to the petitioner w.e.f. 02.04.1992 from which the petitioner has been promoted vide order of respondent No.2 dated 31.07.1998.

2. Petition was admitted on 27.05.2002.

3. 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 20 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 Nos. 3 and 11 of the reply, which are reproduced herein below for ready reference:-

“ 3. Contents of Para No.3 are wrong and denied as the ACR of petitioner relating to period 1986-1987 was not satisfactory as his honesty was doubtful and that is why he was not considered for promotion along with Shri. Ved Parkas and Smt. Shashi Bala. The true copies of ACR, are annexed as Annexure R-1.

XXXX XXXX XXXX XXXX XXXX

11. Contents of para No.11 are wrong to the effect that he was ordered for promotion on 02.04.1992. But on the other hand he was promoted on 16.06.1997 after his ACR of 1986-1987 was expunged. Order of promotion is Annexure R-2 order dated 31.07.1998 of Deputy Commissioner, Faridabad was rightly passed as he is not entitled any arrears of pay between 02.04.1992 to 30.06.1997.”

5. I am in agreement with the stand taken by the respondents as aforesaid. 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.

23.05.2022
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(ARUN MONGA)
JUDGE

Whether speaking/reasoned:
Whether reportable:

Yes/No
Yes/No