

235(3) IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CWP No. 14187 of 2018 (O&M)
Date of Decision: 19.09.2022

Harmander Singh

.....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE MAHABIR SINGH SINDHU

Present: None for the petitioner.

Ms. Anju Sharma Kaushik, DAG, Punjab.

MAHABIR SINGH SINDHU. J.

Present writ petition is filed under Article 226 of the Constitution, *inter-alia*, for quashing of impugned order dated 31.10.2012 (P-5) whereby request of petitioner for stepping up of his pay at par with his junior i.e. respondent No.3 was declined.

2. In response to notice of motion, reply by way of affidavit of Sh. Rupinder Singh Sadhrao, Deputy Director, Department of Technical Education & Industrial Training, Punjab has already been filed and paragraph Nos. 3, 4 & 5 of the same reads as under:-

“3. That a case has been brought to the knowledge of the answering department by the petitioner wherein erroneous stepping up of the salary has been granted twice and that too with regard to different Junior Employee i.e. respondent No.4 has been erroneously imparted the stepping up for the second time to another Junior employee, respondent No.3 (Annexure R-1).

4. That on this very basis petitioner also sought stepping up of the salary for the second time with a different Junior

employee (Respondent No.3), which is actually wrong. If a wrong has been done in the past, it cannot be made basis for committing another wrong.

5. That this erroneous order Annexure R-1 has been withdrawn vide orders dated 20.11.2019, annexed as Annexure R-2 and thereafter proceedings for fixing the responsibilities of the then concerned officials/employees has been initiated.”

3. Perusal of extracted portion reveals that pay fixation of private respondent No.3 was erroneous and that has already been withdrawn by the department, vide order dated 20.11.2019 (R-2); therefore, petitioner cannot raise grievance for fixation of his pay at par with aforesaid co-employee.

4. In view of the above, writ petition stands disposed off.

5. Since no one is appearing on behalf of petitioner, therefore, in case petitioner feels aggrieved, he would be at liberty to move appropriate application for recalling of this order and same shall be considered in accordance with law.

19.09.2022

SN

(MAHABIR SINGH SINDHU)
JUDGE

Whether speaking/reasoned : Yes/No
Whether Reportable: Yes/No