

In the High Court of Punjab and Haryana at Chandigarh

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CWP-6693-2015 (O & M)

Date of Decision: July 14, 2022

O.P. SHARMA

....PETITIONER

VERSUS

STATE OF HARYANA & ANR

....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Jai Bhagwan Sharma, Advocate for the petitioner.

Mr. Kapil Bansal, DAG, Haryana.

Mr. G.S. Jaswal, Advocate for respondent No.2.

ANUPINDER SINGH GREWAL, J (ORAL)

The petitioner has challenged the order dated 10.12.2014 whereby his request for re-exercising option for refixation of his pay with effect from 01.01.1996 has been rejected.

Learned counsel for the petitioner submits that the petitioner submits that the petitioner was entitled to refixation of his pay with effect from 01.01.1996 as has been done in the case of other similarly situated employees including one Omkant Partap Singh.

Learned counsel for the respondents while referring to the reply submits that the pay of the employees of the Corporation had been refixed and revised with effect from 01.12.1996. The petitioner had been charge-sheeted for smuggling 28 bags of wheat and for dereliction of duty for insubordination for which he was imposed punishment of stoppage of annual increment with cumulative effect and stoppage of one increment with cumulative effect. The option was also furnished to other employees for refixation of the pay scale with effect from 01.12.1996. The pay of the petitioner has been refixed with effect from 01.12.1996.

Heard.

The petitioner retired as a Manager from the respondent-Corporation in the year 2014. This petition has been preferred in the year 2015 seeking refixation of pay with effect from 01.01.1996. The respondents have categorically stated that the pay of the other employees had been refixed with effect from 01.12.1996 and this benefit had been extended to the petitioner. The petitioner was getting lesser salary than the aforementioned Omkant Partap Singh and other employees as stated in the petition but he cannot claim parity as they are stated to have unblemished service records whereas petitioner failed to earn 70% ACRs of good/better during the period 10 years prior to 01.01.1996. He had also been imposed punishment of stoppage of annual increment with cumulative effect.

In view of the above, I do not find any merit in the instant petition.

The petition stands dismissed.

(ANUPINDER SINGH GREWAL)
JUDGE

July 14, 2022
A.Kaundal

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