

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

CR-7345-2019 (O&M)

Date of decision: 07.05.2022

Satyawan Singh

....Petitioner

Versus

State of Haryana and others

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Rakesh Nagpal, Advocate for the petitioner
Mr. Harsh Vardhan, AAG, Haryana

ANIL KSHETARPAL, J (Oral)

While assailing the correctness of the order passed by the executing Court on 14.08.2019, the petitioner has filed the present revision petition. Civil suit number 237- C-2005 filed by the petitioner was decreed on 28.9.2010. The operative part of the judgement is extracted as under:-

“ the suit of the plaintiff partly succeeds and the same is hereby partly decreed with cost and accordingly the defendants are directed to consider the regularisation of services of the plaintiff to the post of Water Pump Operator as per the policy of the Government”.

On an appeal filed by the petitioner, the First Appellate Court modified the decree to the following effect:-

“the difference of salary of 38 months shall be given to plaintiff in view of the afore-discussed law and facts, the plaintiff is entitled to be regularised on the post of Water Pump Operator w.e.f 01.04.1993 and is also entitled to the difference of arrears of salary for a period of 38 months prior to filing of suit i.e 19.09.2005.”

Regular second appeal filed by the Department was dismissed on 20.8.2013. The services of the petitioner were regularised

on the post of Water Pump Operator from one 01.04.1993 vide order dated 17.4 2014. The petitioner complains that he has not been granted the technical scale, which has been granted to various other Water Pump Operators. Admittedly, Executing Court is required to implement the decree, which has been passed. It cannot travel beyond the terms of the decree.

Keeping in view the aforesaid facts, no ground to interfere is made out. Hence, dismissed. However the petitioner shall have liberty to avail appropriate remedy.

All the pending miscellaneous applications, if any, are also disposed of.

07.05.2022

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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

(ANIL KSHETARPAL)
JUDGE