

In the High Court of Punjab and Haryana, at Chandigarh**Civil Writ Petition No. 17057 of 2022 (O&M)****Date of Decision: 28.03.2023**

Veena Rani

... Petitioner(s)

Versus

State of Punjab and Others

... Respondent(s)

CORAM: Hon'ble Mr. Justice Anil Kshetarpal.

Present: Mr. U.K.Agnihotri and Ms. Anshul Agnihotri, Advocates
for the petitioner(s).

Mr. Vikas Arora, Assistant Advocate General,
Punjab.

Anil Kshetarpal, J.**CM-507-CWP-2023**

1. While taking on record the copy of order dated 24.01.2014
(Annexure P2), the application is allowed.

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2. In the writ petition, the petitioner prays for the following
substantive reliefs:

*“i) To issue a writ in the nature of certiorari for setting aside
the impugned order dated 10.08.2021 (Ann. P-4) rejecting the
claim. raised in notice Ann P-3.*

*ii) To issue a writ of mandamus directing the respondents to
grant and refix the appropriate pay scale and salary to the
petitioner w.e.f. 01.01.1996 further revising it accordingly w.e.f.*

01.01.2006 and 01.01.2016 with all consequential benefits and to release all arrears to petitioner accordingly with interest.

iii) To issue a writ of mandamus directing the respondents to consider the pending application of petitioner dated 19.02.2020 and to promote her with consequential benefits to the post of Sr. Scale Stenographer.

iv) To issue a direction the respondents to release all arrears, pensionary benefits and pay revision benefits after refixing her pay appropriately along with interest.”

3. The petitioner, on attaining the age of superannuation, has retired on 28.02.2021. The present writ petition was filed in the month of August, 2022. She claims that while setting aside the order dated 10.08.2021, a direction be issued to the respondents for re-fixation of pay in the pay scale of ₹ 4400-7000 w.e.f. 01.01.1996 and fix her salary in the pay scale of Rs.3300-6200 w.e.f. 01.01.1996 with a direction to refix her pay. Her case is based upon the decision rendered by the High Court in ***Sh.Satnam Singh and Others v. The State of Punjab and Others (Civil Writ Petition No. 18463 of 2010, decided on 12.03.2013).***

4. On a Court question, the learned counsel representing the petitioner fairly admits that before her retirement on 28.02.2021, the petitioner neither submitted any representation nor file any case. In substance, the petitioner claims that she is entitled to the benefits as ordered in the aforesaid judgment dated 12.03.2013.

5. From the facts noticed above, it is evident that the writ petition suffers from the unexplained delay and laches. Firstly, the order passed in

the writ petition filed by some other employee does not give rise to a cause of action to the petitioner. Secondly, even that judgment was passed on 12.03.2013, whereas, this writ petition has been filed in the year 2022.

6. Consequently, finding no merit in the present writ petition, the same is dismissed.

(Anil Kshetarpal)
Judge

March 28, 2023
“DK”

Whether speaking/reasoned :Yes/No
Whether reportable : Yes/No