



CWP-5318-2000

-1-

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

209

CWP-5318-2000

Date of Decision: 15.10.2024

Satya Wati Bhatia

...Petitioner(s)

Versus

State of Haryana and another

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA

Present:- None for the petitioner

Mr. Harish Rathee, Sr. DAG, Haryana

TRIBHUVAN DAHIYA, J. (Oral)

The petition has been filed, *inter alia*, seeking a writ of *mandamus* directing the respondents to grant Annual Grade Increments to the petitioner by withdrawing the arbitrary condition of subject combination incorporated in her adjustment/appointment order dated 10.10.1993, Annexure P-2.

2. Learned State counsel contends that the ex-cadre posts of Supervisors against which the petitioner as well as other similarly situated persons had been working on part time basis were abolished with effect from 28.02.1990, resulting in termination of their services. However, later the government took a decision to absorb/appoint the erstwhile Supervisors in the State government services in the cadre of Master afresh in the wake of directions issued by the Supreme Court. While absorbing them, a specific condition was imposed in the appointment letters that those who did not have



CWP-5318-2000

-2-

the required subject combination in graduation, would not be granted annual increments in their pay scales unless they completed the subject combination within three years. The petitioner accepted the terms of her appointment but failed to complete the subject combination within the stipulated period. The writ petition was filed by her after about seven years of joining the service as S.S. Mistress which was impermissible.

3. These factual assertions have not been disputed by the petitioner by filing any counter affidavit. Once the petitioner willingly accepted the terms and conditions of her appointment as S.S. Mistress and joined service, she cannot be allowed to turn around and challenge those very conditions on failing to complete the subject combination within the period stipulated.

4. In view thereof, there is no merit in the petition, and it stands dismissed.

(TRIBHUVAN DAHIYA)
JUDGE

15.10.2024

Payal

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No