

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

(208)

RSA-1463-1994

Date of Decision : February 09, 2024

State of Punjab and another

.. Appellants

Versus

Kiran Usha

.. Respondent

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Rohit Ahuja, Deputy Advocate General, Punjab,
for the appellant-State.

None for the respondent.

HARSIMRAN SINGH SETHI J. (ORAL)

1. Present regular second appeal has been filed against the judgment and decree of the lower Appellate Court by which, the appeal filed by the respondent-plaintiff against the judgment and decree dated 13.02.1991 passed by the trial Court was allowed and the suit filed by the respondent-plaintiff was allowed.

2. The grievance which was being raised was with regard to the grant of particular pay scale to the respondent-plaintiff while working on the post of Domestic Science Teacher on 22.10.1972. The relief claimed was allowed by the lower Appellate Court vide judgment and decree dated 29.04.1993 and the suit filed by the respondent-plaintiff was decreed that the respondent-plaintiff is entitled for basic pay of Rs.620 in the pay scale of Rs.570-1050/- w.e.f. 01.01.1981.

3. It may be noticed that the respondent-plaintiff was appointed in the year 1972 approximately 52 years ago. It is not known whether the respondent-plaintiff is alive or not.

4. Further, as there was no interim order since then in the favour of the appellants, the judgment and decree of the lower Appellate Court must have been executed and the respondent-plaintiff must have retired by now.

5. In the present case, the appeal is allowed, the benefits given to the respondent-plaintiff, who was a Teacher, will be withdrawn and that too when she must be in her 80s, will be too harsh at the stage of her life, in case she is alive.

6. Keeping in view the above, no ground is made out for any interference by this Court in the present regular second appeal especially when no perversity has been pointed out by the learned counsel for the appellants with regard to the judgment and decree of the lower Appellate Court.

7. The appeal is accordingly dismissed.

February 09, 2024

harsha

(HARSIMRAN SINGH SETHI)

JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No