

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

112

CWP-8702-2024

Date of decision: 20.04.2024

BALBIR SINGH**....PETITIONER****Vs.****UNION OF INDIA AND OTHERS****...RESPONDENTS****CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL**

Present: Mr. Dinesh Kumar, Advocate
for the petitioner.

JAGMOHAN BANSAL, J (ORAL)

1. The petitioner through instant petition under Article 226 of the Constitution of India is seeking direction to respondents to re-fix his pension and release arrears along with interest @ 12% per annum.

2. The petitioner joined as Junior Engineer in Chambal Project, Kota, Rajasthan. He was promoted as Assistant Engineer on ad-hoc basis on 22.07.1958 and on permanent basis w.e.f. 19.11.1958. He thereafter joined BBMB on deputation. On one occasion, his parent department ordered to recall him, however, he was not repatriated to his parent cadre. At a later stage, BBMB repatriated him to his Parent Department. He, before his date of retirement, had to rejoin his parent department. He retired from his parent department on 30.06.1992. He filed a petition before Central Administrative Tribunal, Chandigarh seeking following reliefs:-

“(a) Sanction of compulsory Awaiting posting orders, period from 1.3.79 to 10.10.79 as duty in B.C.S.

(b) Sanction of compulsory Awaiting Posting Orders period from 1.10.83 to 16.6.85 as duty in BCB or BBMB.

- (c) Protection/refixatoin of basic substantive pay from 4.6.64 to 12.10.69 and 1.9.76 to 16.6.85.
- (d) Protection of pay as Superintending Engineer in BCB/BBMB w.e.f. 29.12.75 to 16.6.85.
- (e) Payment of benefit of promotion under next below rule from 13.10.69 to 16.12.69.”

3. The said petition came to be dismissed vide order dated 11.03.2004 on the ground of delay.
4. The petitioner for the same relief in a different manner has approached this Court by way of present petition.
5. It is apt to mention here that petitioner has made multiple representations to his parent department. The representations have been dismissed on one or other ground.
6. The Tribunal dismissed aforesaid petition of the petitioner on the ground of delay. The said petition was dismissed on 11.03.2004 and petitioner has again approached this Court in 2024. He retired on 30.06.1992. It appears that petitioner does not want to put the litigation to rest. There is no explanation for non-assailing of order dated 11.03.2004 passed by CAT, Chandigarh and filing present petition after 20 years from the dismissal of petition by CAT and 30 years from the date of retirement.
7. Dismissed.

20.04.2024
manoj

[JAGMOHAN BANSAL]
JUDGE

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