



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

211-2

CWP-25951-2016

Date of decision 09.09.2024

Jiayji Sharma

.....Petitioner

Versus

State of Haryana and others

....Respondents

CORAM: HON'BLE MR. JUSTICE NAMIT KUMAR

Present : Ms. Anu Chaudhary, Advocate for
Mr. S.K. Bhardwaj, Advocate for the petitioner.

Mr. Saurabh Mohunta, D.A.G., Haryana.

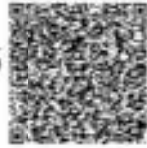
NAMIT KUMAR, J. (ORAL)

1. The petitioner has filed the instant writ petition under Articles 226/227 of the Constitution of India claiming the following relief :-

“A writ in the nature of mandamus, be issued directing the respondent authorities to grant the arrears of pay as the other similarly situated employees who have been regularized w.e.f. 01.10.2003 after setting aside the impugned action of discrimination committed with the petitioner by the respondent authorities and for directing the respondent No.4 to grant the benefit of educational allowance as well as benefit of LTC, which has also been granted to other similarly situated employees vide Annexure P-2, along with all other consequential benefits and further in alternate, directing the respondent authorities to at least take a decision over the representation Annexure P-3, pending with the respondent No.4, since long.”

2. In the written statement filed on behalf of the respondents, it has been stated as under :-

“1. That the petitioner has filed the present writ Petition on false and bogus grounds and by concealing true and



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material facts from the Hon'ble court, because the benefit of L.T.C. has already been granted to the petitioner according to Seniority list vide this office order no.10226-28 dated 30.09.2016 for the block year 2016-2019 and same was paid to the petitioner vide Treasury Voucher No.000076 dated 21.3.2017 (the copy of office order Endst. no. 10226-28 dated 30.9.2016 is annexed as Annexure R-1). It is further submitted that the benefits of education allowance has already been granted to the petitioner vide Treasury Voucher Nos.000023 dated 13.01.2017, 000029 dated 09.08.2016, 000062 dated 26.10.2016, 000032 dated 12.04.2016 respectively for the year 2016-17 fully detailed and mentioned in Annual Statement of the petitioner (the copy of Annual Statement of petitioner is annexed herewith Annexure R-2). Therefore, the petitioner has filed the present petition with malafide intention and only to make unnecessary harassment for the answering respondents, hence the Civil Writ petition is liable to be dismissed.”

3. Since the benefits of LTC for the block year 2016-2019 has been paid to the petitioner vide treasury voucher No.000076 dated 21.03.2017 and education allowance vide treasury vouchers No.000023, 000029, 000062 and 000032 dated 13.01.2017, 09.08.2016, 26.10.2016 and 12.04.2016, respectively, for the year 2016-2017, therefore, the instant petition has been rendered infructuous.

4. Disposed of as having become infructuous.

(NAMIT KUMAR)
JUDGE

09.09.2024

Kothiyal

Whether Speaking/reasoned Yes/No

Whether Reportable Yes/No