



CWP-26497-2021 (O&M)

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

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CWP-26497-2021 (O&M)

Date of decision: 27.09.2024

Shyam Lal Arya

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present: Mr. Mani Ram Verma and Mr. Nipun Verma, Advocates
for the petitioner.

Ms. Tanisha Peshawaria, DAG, Haryana.

AMAN CHAUDHARY, J. (Oral)

1. Prayer made in the present petition is for quashing the order dated 15.11.2021, whereby the representation of the petitioner has been rejected.

2. The petitioner, who was appointed as Chemist on 07.06.1982 and retired as Deputy Public Analyst on 31.05.2016, seeks pay parity as granted to the Chemists working in the same Department by this Court in **Radhey Shyam and others vs. State of Haryana and another**¹, the LPA-78-2020 against which was dismissed on 07.12.2022.

3. The applicability of the aforesaid judgment though has not been disputed in the speaking order, however, the solitary premise taken to decline the claim is the delay in approaching the Department, with regard to which, to balance equities the relief can be restricted to 38 months prior to filing of the case, pay fixation being continuing wrong as the salary for each successive month would give a fresh cause of action, as held by the Full Bench of this



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Court in **Saroj Kumari vs. State of Punjab**², which learned State counsel despite her best efforts was unable to controvert or cite any contrary law.

4. In view of the above, the present petition is allowed and the order dated 15.11.2021 is set aside, however the arrears shall be confined to 38 months prior to the filing of writ petition.

(AMAN CHAUDHARY)
JUDGE

27.09.2024
Hemant

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

HAMANT ² CWP-14874-1995, decided on 04.05.1998
2024.09.30 18:16
I attest to the accuracy and
integrity of this order/judgment