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

LPA-2484-2024 (O&M)

Date of Decision: 24th of March, 2025

MEHAR CHAND

.....Appellant(s)

V/s.

STATE OF HARYANA AND OTHERS

.....Respondent(s)

CORAM: **HON'BLE MR. JUSTICE SANJEEV PRAKASH SHARMA**
 HON'BLE MRS. JUSTICE MEENAKSHI I. MEHTA

Present: None for the applicant-appellant.

SANJEEV PRAKASH SHARMA, J. (Oral)

1. The present LPA has been preferred by the appellant assailing order dated 22.03.2023, whereby the learned Single Bench has dismissed the Writ Petition bearing CWP No.3542 of 2023 filed by the appellant.

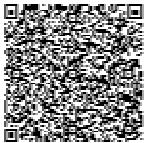
2. We find that the present LPA was filed in the year 2024 with delay of 522 days in filing. On the last date of hearing i.e. 16.12.2024, no one had appeared before the Court to argue this case. Today also, no one has appeared for the appellant and a written request for an adjournment has been circulated on his behalf.

3. We, however, reject the written request seeking adjournment.

4. We have noticed the facts of this case and find that learned Single Bench has dismissed the Writ Petition wherein a retired employee, who retired way back in 2009, preferred a Writ Petition in the year 2023 claiming a higher pay scale.

5. Learned Single Bench in the impugned order has noticed as under:-

“4. I have heard learned counsel for the petitioner and find that there is no merit in the writ petition and the same deserved to be dismissed being highly belated. It is an admitted



fact that the petitioner retired in the year 2009 and on his retirement, all retiral benefits were duly released to him. It cannot be the case of the petitioner that he was unaware of what his salary was at the time when he retired and on the basis of which, the retiral benefits were calculated. If the increments of the petitioner had been stopped as far back as in the year 1992, even at that point in time, he would have become aware of the disparity in his pay scale. The increments were stopped on account the departmental inquiry, which the petitioner must have faced. At the relevant time, the petitioner did not choose to raise any objection that his salary and retiral benefits, as due to him, have not been calculated correctly. It is for the first time in the year 2022, that the writ petition filed claiming reduction in pay scale. The petitioner cannot plead ignorance especially when he accepted all the retiral benefits. He ought to have approached the appropriate authority at the relevant time for his grievance and if not satisfied, then to the higher forum. He slept over the matter for such a long time. He was even supplied all documents under the RTI Act in 2018 and still slept over the matter for a long. There is also no mention in the writ petition that he had the necessary knowledge about the stoppage of two increments, which also becomes a ground to dismiss the writ petition for concealment of facts. One must be aware of his rights. The claim of the petitioner being highly belated, the writ petition cannot be entertained at this stage.”

6. Thereafter, the challenge to the order passed by the learned Single Bench was not maintained for more than 1½ years and no cogent reasons are coming forward for filing of this LPA after such a gross delay. It is to be noticed that the appellant-Writ Petitioner has been lazy all through out.

7. Accordingly, the present LPA stands **dismissed** on merits as well as on delay and latches.



8. All pending applications in this case are disposed of accordingly.

[SANJEEV PRAKASH SHARMA]
JUDGE

[MEENAKSHI I. MEHTA]
JUDGE

March 24, 2025
Ess Kay

<i>Whether speaking / reasoned</i>	:	<i>Yes</i>	/	<i>No</i>
<i>Whether Reportable</i>	:	<i>Yes</i>	/	<i>No</i>