



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

**LPA-3254-2025 (O&M)
Date of Decision:14.05.2026**

SHAKTI SINGH

.....APPELLANT(S)

VERSUS

UTTAR HARYANA BIJLI VITRAN NIGAM AND OTHERSRESPONDENT(S)

**CORAM:- HON'BLE MR. JUSTICE ASHWANI KUMAR MISHRA
HON'BLE MR. JUSTICE ROHIT KAPOOR**

Present: Mr. B. S. Rathee, Advocate
for the appellant.

Mr. Pankaj Middha, Addl., AG, Haryana.

ASHWANI KUMAR MISHRA, J. (Oral)

1. The appellant herein was in the employment of Uttar Haryana Bijli Vitran Nigam (for short, '*respondent-Nigam*') and superannuated in 2011. He filed a writ petition in 2025 stating that his junior, Om Parkash (proforma respondent No.8), was in receipt of a higher salary and, therefore, the salary of the appellant was required to be stepped up so that he is not discriminated against in any manner.

2. The claim of the appellant has been rejected by the learned Single Judge primarily on the ground of delay. The learned Single Judge has referred to various judgments of the Hon'ble Supreme Court of India to state that once a stale claim is brought before the Court, the Court would be justified in declining to entertain such petition. The appeal has accordingly been filed reiterating the stand taken before the learned Single Judge.

3. The matter was adjourned on 19.01.2026 with a direction to be taken up along with LPA No.3432 of 2025, which has been dismissed

by a separate order passed today.

4. Learned State counsel has produced the written instructions received from the concerned Executive Engineer of the respondent-Nigam specifying the scale of pay and actual salary received by the appellant *vis-à-vis* Om Parkash, with whom parity is being claimed. This chart is taken on record and marked as 'X'. From the chart, it is shown that Om Parkash superannuated from the higher post of JE-I, whereas the appellant retired as JE-II. It has further been stated on behalf of the respondent-Nigam that the appellant had been punished on previous occasions by orders withholding his increments and, therefore, the salary of the appellant was lesser than that of Om Parkash.

5. Learned counsel for the appellant, with reference to serial Nos.6 and 7 of the chart produced before the Court, states that the salary of the appellant and Om Parkash was Rs.410/- on 01.04.1981, whereas in the next year the salary of the appellant was increased to Rs.430/-, while the salary of Om Parkash was higher.

6. This argument of learned counsel for the appellant omits to notice the entry at serial No.7 in the case of Om Parkash, which records that he was promoted as SSA during the relevant period. Om Parkash was otherwise promoted and retired from a higher post. The fact that both were placed in the same scale of pay in 1980 would not be relevant when the salary of Om Parkash was enhanced due to his promotion in 1981. After more than 45 years, we would not be inclined to embark upon a factual exercise as to whether the salary of the appellant was correctly fixed *vis-à-vis* Om Parkash, when it has otherwise been shown by the

respondent-Nigam that on account of various service benefits granted to Om Parkash and his promotions, *etc.*, he retired from a higher post and accordingly his salary was higher.

7. The contention of the appellant that there exists a policy for up-gradation of salary, which has not been given effect to, is also not borne out from the material placed on record.

8. In that view of the matter, the instant appeal fails and is accordingly *dismissed*.

9. Pending misc. application(s), if any, also stand disposed of.

[ASHWANI KUMAR MISHRA]
JUDGE

[ROHIT KAPOOR]
JUDGE

MAY 14, 2026
Rahul Joshi

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|------------------------------|--------|
| 1. Whether Speaking/reasoned | Yes/No |
| 2. Whether Reportable | Yes/No |