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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

LPA-3172-2024 (O&M)

Date of Decision: 21st of April, 2025

DR. V.P. SINGH

.....Appellant (s)

V/s.

*CH. CHARAN SINGH HARYANA AGRICULTURAL UNIVERSITY, HISAR
AND OTHERS*

.....Respondent(s)

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

Present: Ms. Radhika Pathania, Advocate for
Mr. Nilesh Bhardwaj, Advocate for the appellant.

Mr. Shreenath A. Khemka, Advocate
for the respondent-University.

SANJEEV PRAKASH SHARMA, J. (Oral)

CM-7808-LPA-2024

For the reasons mentioned in the application, the same is allowed and delay of 24 days in re-filing the appeal is hereby condoned.

CM-7809-LPA-2024

Application is allowed and the appellant is exempted from filing the certified/typed copies of CWP-25771-2019.

LPA-3172-2024 (O&M)

1. The present LPA is preferred by the appellant assailing order dated 16.07.2024 whereby the learned Single Bench has dismissed the Writ Petition preferred by him i.e. CWP-25771-2019 and for setting aside the observations passed by the learned Single Bench whereby, it restricted the relief of granting of arrears for only 38 months prior to filing of the Writ Petition i.e. 05.09.2019.



2. Learned counsel for the appellant submits that as there was no fault on the part of the appellant/Writ Petitioner, there was no occasion to restrict the relief to only 38 months prior to the filing of the Writ Petition.

3. We have considered the submissions and carefully perused the record.

4. Although we find that so far as the preferring of the Writ Petition by the appellant is concerned, the same cannot be said to be in any manner delayed as the order which was sought to be quashed was passed on 08.04.2019 and the claim was for implementation of office order dated 20.06.2018. Therefore, Writ Petition having been filed by the appellant in the year 2019 cannot be said to be delayed. However, we find that the relief granted by the learned Single Bench does not warrant any interference as the respondent-University had been directed to step-up the appellant's pay equivalent to his junior counterpart w.e.f. the date anomaly arose i.e. from the date when his junior counterpart had been granted the higher pay. Accordingly, further directions were also issued to release consequential service and pensionary benefits.

5. Thus, it cannot be said that the benefits would not be released in favour of the appellant/Writ Petitioner. It is only the actual arrears, which have been limited only to 38 months and the remaining is notional.

6. In our opinion, the directions issued by the learned Single Bench cannot be said to be unjustified as it is a long period from the year when the higher pay scale was granted to junior counterpart of the appellant i.e. 1989, and the appellant's representation was decided in the year 2018.



No case for interference is thus made out. The LPA is misconceived and the same is ***dismissed*** accordingly.

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

[SANJEEV PRAKASH SHARMA]
JUDGE

[MEENAKSHI I. MEHTA]
JUDGE

April 21, 2025

Ess Kay

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