

(2010) 11 P&H CK 0084
In the Punjab And Haryana At Chandigarh
Case No : LPA No. 992 of 2010 (O and M)

Deepak Kumar

APPELLANT

Vs

State of Haryana and Others

RESPONDENT

Date of Decision : 22-11-2010

Acts Referred:

Citation : (2010) 11 P&H CK 0084

Hon'ble Judges : Ritu Bahri, J;M.M. Kumar, J

Bench : Division Bench

Final Decision : Dismissed

Judgement

M.M. Kumar, J.—This appeal filed under Clause X of the Letters Patent is directed against the judgment dated 6.2.2009 rendered by the learned Single Judge. It is conceded position that vide judgment dated 6.2.2009 learned Single Judge has dismissed a bunch of petitions including CWP No. 6785 of 1994 filed by the Petitioner-Appellant. The impugned judgment has already been assailed by some of the unsuccessful Petitioners in LPA Nos. 1151 of 2009 and 359 of 2010. We have already upheld the judgment rendered by the learned Single Judge by order dated 30.8.2010 passed in LPA No. 1151 of 2009 by observing as under:

We find that the Appellants were transferred against the post of Lecturer (School Cadre) which carries higher pay scale for a temporary period while awaiting the regular appointment. However, after 12.5.1994 they were re-patriated to their parent department (P.9). The aforesaid period from 2.4.1993 to 12.5.1994 was the only period when the Respondent-State wanted them to work as Lecturer (School Cadre). We find no illegality in the view taken by the learned Single Judge that the Appellants were entitled to the pay scale of Lecturer (School Cadre) in respect of the period 2.4.1993 to 12.5.1994 and that the employer cannot be asked to pay for the period it did not desire them to work as such. The appeals lack merit and do not warrant admission. Accordingly, both he appeals are dismissed.

2. Accordingly, for the parity of reasoning this appeal also meet the same fate. We find no room to interfere in the judgment passed by the learned Single Judge warranting admission. Dismissed.