

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (C) No(s). 19202/2017

(Arising out of impugned final judgment and order dated 24-05-2017 in LPA No. 336/2017 passed by the High Court of Punjab & Haryana at Chandigarh)

RAM ROOP

Petitioner(s)

VERSUS

UTTAR HARYANA BIJLI VITRAN NIGAM LTD & ORS.

Respondent(s)

(WITH APPLN(S) FOR  
IA No.63091/2017-EXEMPTION FROM FILING C/C OF THE IMPUGNED  
JUDGMENT)

Date : 11-08-2017 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE KURIAN JOSEPH  
HON'BLE MRS. JUSTICE R. BANUMATHI

For Petitioner(s) Mr. Ujjal Singh, Adv.  
Mr. Jatinder Pal Singh, AOR

For Respondent(s)

UPON hearing the counsel the Court made the following  
O R D E R

Learned counsel for the petitioner submits that the appointment of the petitioner was made on the basis of a direction issued by the High Court to take action on the application filed in 1987. However, the appointment was given only with effect from 2008 as Peon. Thereafter, the petitioner asked for change of category to that of Meter Reader or an equivalent post which was accepted by the High Court and his post was changed to Lower Division Clerk. However, in that judgment it was also made clear that the petitioner would be appointed only with effect from his initial appointment as Peon. Now the petitioner wants appointment with effect from 1999, at least notionally.

It is also submitted that similarly situated persons have been granted such appointment. It is further submitted that in case appointment is at least given notionally, the petitioner will be satisfied. What prevents the petitioner from getting the benefit, as above, is the second judgment, where his application for change of category was allowed only from the date of appointment as Peon. There is a specific direction that the category change will be with effect from the initial date of appointment as Peon.

Therefore, unless the judgment is modified or clarified in appropriate proceedings, the petitioner cannot be helped by any Forum. Hence, this special leave petition is dismissed without prejudice to the liberty available to the petitioner to get the judgment varied or clarified in appropriate proceedings.

Pending application(s), if any, shall stand disposed of.

(NARENDRA PRASAD)  
COURT MASTER (SH)

(RENU DIWAN)  
ASST. REGISTRAR