

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CWP No. 9736 of 2013 (O&M)

Date of Decision: 06.02.2015.

Shri Niwas

--Petitioner

Versus

State of Haryana & others

--Respondents

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. Rakesh Nagpal, Advocate for the petitioner.

Mr. Ravi Pratap Singh, A.A.G., Haryana.

TEJINDER SINGH DHINDSA.J

The petitioner, who was stated to have been engaged as a Peon initially on part time basis under the Department of Development & Panchayat, State of Haryana, has filed the instant writ petition confining his prayer for release of salary for the period 6.5.2010 to 31.7.2011.

It is the contention made by learned counsel appearing for the petitioner that the petitioner had duly discharged his work and responsibilities for the afore-noticed period and inspite thereof wages have been denied.

Per contra, learned State counsel on the basis of written statement filed would submit that the petitioner has not worked for the period in question and his services were rather dispensed with w.e.f. 6.5.2010. As regards the documents placed on record at Annexures P-9 and P-10 and upon which counsel for the petitioner would rely upon to show that the petitioner had worked for certain days between 6.5.2010 to 31.7.2011, the State has taken a stand that such documents have been manipulated.

Clearly, the instant writ petition raises disputed questions of fact and which would not be gone into by this Court in exercise of its extraordinary writ jurisdiction under Article 226 of the Constitution of India.

The writ petition is, accordingly, disposed of in terms of granting liberty to the petitioner to avail of any other civil remedy that may be available strictly in accordance with law.

Petition disposed of.

Pending applications, if any, shall also stand disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

February 06, 2015.
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