

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

LPA No. 1199 of 2015 (O&M)

DATE OF DECISION : 05.10.2015

Gyan Prakash Saxena

.... APPELLANT

Versus

State of Haryana and others

.... RESPONDENTS

CORAM :- HON'BLE MR. JUSTICE SATISH KUMAR MITTAL

HON'BLE MR. JUSTICE MAHAVIR S. CHAUHAN

Present : Mr. Madan Pal, Advocate,
for the appellant.

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SATISH KUMAR MITTAL, J. (Oral)

This intra-court appeal under Clause X of the Letters Patent has been filed against the order dated 26.03.2015 passed by the learned Single Judge, whereby the writ petition (CWP No. 22199 of 2013) filed by the appellant for quashing the order dated 09.05.2013 (Annexure P-4), vide which his claim was partly allowed and salary for the period from 01.01.2011 to 31.10.2011 was not given to him, has been dismissed on the ground that against the respondent Society, namely Haryana Welfare Society for Hearing and Speech Handicapped, is not an instrumentality of the State, in view of two decisions of this Court mentioned in the impugned order.

Though there is delay of 31 days in filing the appeal and the appellant has filed application (CM No. 2554-LPA of 2015) for condoning

the said delay, yet we have heard learned counsel for the appellant and have gone through the impugned order passed by the learned Single Judge.

After hearing learned counsel for the appellant and keeping in view the fact that for non-payment of salary, the appellant has alternative remedy either under the Payment of Wages Act, 1948, or before the Civil Court, we are not inclined to entertain this appeal.

Dismissed.

(SATISH KUMAR MITTAL)
JUDGE

October 05, 2015
ndj

(MAHAVIR S. CHAUHAN)
JUDGE