

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

R.S.A No. 273 of 2012 (O&M)

Date of decision:- 26.05.2015

Mohan Lal

...Appellant

Versus

U.H.B.V.N.L & ors.

...Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present:- Mr. Naveen Daryal, Advocate
for the appellant.

Mr. Sudhir Hooda, Advocate
for the respondents.

RITU BAHRI J. (Oral)

The present regular second appeal is directed against the judgment and decree dated 31.10.2011 passed by Addl. District Judge, Karnal whereby the judgment and decree dated 30.11.2009 passed by the Civil Judge (Jr Divn.) Karnal was upheld whereby the suit of the plaintiff/appellant (herein after to be referred as 'the appellant') was partly decreed to the effect that the appellant is entitled to the recovery of his salary for the month of September to 30.01.2007 with 12% interest. However, the claim of the full salary for the period during which he remained suspension was rejected. The respondents were directed to adjust the salary for the above said period against the

amount of Rs.877576/- which is due from the appellant.

On the last date of hearing, learned counsel for the appellant has informed the Court that the punishment order, which was passed after the retirement of the appellant was set aside by this Court, vide CWP No. 17156 of 2011, decided on 25.11.2013. This fact has not been dispute by learned counsel for the respondent. The appeal was adjourned to enable the respondents to pay 50% of the suspension period.

Learned counsel for the respondents on instructions from Ashok Kumar Meter Reader informed the Court that the matter is pending before Chief Engineer, who will release the claim of the appellant.

In view of the above instructions, the present appeal is disposed of by directing the respondents to release the claim of the appellant within 6 weeks with 9% interest, in view of the judgment of Hon'ble the Supreme Court in a cases of ***D.D. Tiwari v. UHBVNL, 2015 (1) RSJ 469*** and ***Megh Varan Sharma v. State of U.P, 2015 (1) SCT 12.***

May 26, 2015

G Arora

(***RITU BAHRI***)
JUDGE