

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

**R.S.A. No. 3825 of 2012
Date of decision : 30.04.2015**

Sukhwinder Singh **...Appellant**

versus

State of Punjab & ors. **...Respondents**

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Ajay Pal Singh, Advocate
for the appellant.

Mr. Vaibhav Sharma, DAG, Punjab

RITU BAHRI , J. (Oral)

Plaintiff-appellant (for short 'the appellant') has come up in regular second appeal against the concurrent finding recorded by both the Courts below whereby the suit of the appellant was dismissed.

The trial Court has recorded a finding that the appellant was removed from service vide letter dated 29.06.2004 for want of budget. The appellant was seeking salary from 19.12.2003 to 09.06.2006 but he failed to produce any record showing that he had working with the department till 09.06.2006. So, the appointment of appellant in the department was held to be on D.C Rates, which are purely temporary and contractual in nature and the services can be

waived off in the even of non-receipt of the budget.

On appeal, the lower Appellate Court modified the judgment of the trial Court and the appellant was held entitled to payment of wages for the period 01.03.2004 to 29.08.2004 along with interest @ 9% from 29.06.2004 till the filing of present suit and further *pendente lite* and future interest @ 6% till the recovery of the decretal amount.

After going through the judgment passed by both the Courts below, it transpires that no evidence was led by the appellant to show that he had worked with the department beyond 29.06.2004 and his services were terminated for want of budget.

The judgments passed by both the Courts below do not require any interference by this Court. No substantial question of law arises for consideration.

The regular second appeal is dismissed.

(RITU BAHRI)
JUDGE

30.04.2015

G Arora