

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

CWP No.15063 of 2016

Date of Decision:-17.10.2016

Balwant Singh.

.....Petitioner.

Versus

State of Punjab & Ors.

.....Respondents.

CORAM:- HON'BLE MR. JUSTICE JASWANT SINGH

Present:- Mr. Vivek Sharma, Advocate for the Petitioner.

Mz. Sudeepti Sharma, Deputy Advocate General, Punjab
assisted by Mr. Pawan Kapur, Executive Engineer,
Drainage Construction Divn., Ferozepur at Fazilka.

JASWANT SINGH, J (ORAL)

Petitioner is working as Junior Engineer with the Irrigation Department and after issuance of the process for imposition of major penalty, eventually a minor punishment "Warning" was imposed vide order dated 28.03.2016 (P-5).

The grievance of the petitioner is regarding non release of full salary in the absence of any order permitting the withholding of the same for the suspension period i.e. 28.4.14 till 2.3.2015.

In response an affidavit dated 17.10.2016 of Sh. Pawan Kapur, XEN has been filed on behalf of the respondents, which is taken on record.

In the reply it is stated that the arrears of Rs.3,35,589 have been

released for the regularised suspension period w.e.f. 29.04.2014 to

28.02.2015. The payment of Rs.3,50,000/- towards the GPF has been sanctioned and payment released. The arrears of increments amounting to Rs.71,008/- has also been released.

Learned State Counsel on instructions from Sh. Pawan Kapur has also in the light of the averments made in the affidavit submits that the present writ petition has become infructuous in view of the entire relief having been granted.

Learned Counsel for the petitioner in view of the aforesaid stand of the state submits that there is no averment qua the release of salary of 01.03.2015 & 02.03.2015, however, regarding the primary claim, he concedes that nothing more requires to be adjudicated.

In view of the above, present petition is hereby dismissed as infructuous. However, with regard to claim regarding 01.03.2015 & 02.03.2015 petitioner would be free to approach the department and Sh. Pawan Kapur, XEN present in Court assures that necessary action would be taken in accordance with law.

(JASWANT SINGH)
JUDGE

October 17, 2016
Vinay

<i>Whether speaking/reasoned</i>	<i>Yes / No</i>
<i>Whether Reportable</i>	<i>Yes / No</i>