

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

CWP No.15872 of 2016 (O&M)

Date of decision:05.09.2016

Balraj Sharma

... Petitioner

Vs.

*Chaudhary Charan Singh, Haryana Agricultural University, Hisar &
others*

... Respondents

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

Present: Mr. Sandeep Kotla, Advocate for the petitioner.

...

TEJINDER SINGH DHINDSA, J.

CM No.9614 of 2016:

Application is allowed as prayed for. Documents at Annexures
P-7 and P-8 are taken on record.

Application is disposed of.

Main case:

The instant petition has been filed seeking issuance of a writ of mandamus for directing the respondent/authorities to release increased subsistence allowance as admissible under the rules for the period subsequent to completion of one year suspension i.e. 11.07.2013.

During the course of arguments, it transpires that the petitioner had earlier filed CWP No.23333 of 2015 and the same was disposed of in terms of order dated 02.11.2015 at Annexure P-5 directing the respondent/authorities to take a decision on his representation dated 28.08.2015.

The representation dated 28.08.2015 has been made available by the petitioner for perusal of this Court and it reveals that claim was for grant of subsistence allowance as admissible under the rules. Counsel

further submits that an order dated 02.12.2015 has been passed in purported compliance of the directions issued by this Court and a decision has been taken on the representation dated 28.08.2015. However, as per counsel, the subsistence allowance released is 50% of the salary whereas the admissible subsistence allowance would be much higher.

Strangely, counsel has chosen neither to place on record the order dated 02.12.2015 passed by the Chaudhary Charan Singh, Haryana Agricultural University, Hisar as regards release of subsistence allowance nor is there a challenge to the same.

Under such circumstances, counsel prays for withdrawal of the instant petition with liberty to raise a challenge to the order dated 02.12.2015 or any other subsequent order that may have been passed as regards claim of the petitioner for subsistence allowance on all such grounds that may be available strictly in accordance with law.

The writ petition is dismissed with liberty as prayed for.

05.09.2016

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**

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| i) | Whether speaking/reasoned? | No |
| ii) | Whether reportable? | No |