

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

CWP No. 17837 of 2014
Date of decision: 16.05.2016

Bishamber Dass

....Petitioner(s)

Versus

State of Punjab and others

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE G.S.SANDHAWALIA

Present: None for the petitioner.

Mr. Anshul Gupta, AAG, Punjab.

G.S.SANDHAWALIA, J. (Oral)

The petitioner seeks the relief of payment of salary alongwith interest for the period from 01.09.2009 to 31.03.2010.

It is his case that he retired on 30.04.2009 and he had moved an application for extension of service upto 31.03.2010. He was granted re-employment from 01.05.2009 to 31.03.2010 but by oral order on 16.09.2009, he was asked not to attend the office in future and thereafter, the legal notice dated 04.04.2014 (Annexure P-2) was served. Letter dated 17.03.2009 (Annexure P-3) is also placed on record to show that his approval was given for re-employment from 01.05.2009 to 31.03.2010.

In the reply filed by respondents no. 1 to 4, it has been averred that the petitioner had retired on 30.04.2009 but was granted extension w.e.f. 01.05.2009 till 31.08.2009 and thereafter, no extension was granted. He had already been paid for the said period to the tune of ₹99,982/- vide cheque dated 15.06.2010, which was deposited in his account on

17.06.2010 (Annexure R-1/2). The order reappointing the petitioner w.e.f. 01.05.2009 till 31.08.2009 was placed on record as Annexure R-1/T. It is, thus, submitted that he is not entitled to any pay and allowances after 31.08.2009.

Counsel for the petitioner had taken time to file replication to controvert the said fact but no such replication has been filed.

In view of the above stand, it is clear that the petitioner had been duly paid for his period of re-employment and there is no merit in the claim for additional financial benefits as the petitioner has not worked for the period for which the claim has been made and neither there was any order extending his service for the period claimed.

Accordingly, the present writ petition is dismissed.

16.05.2016
shivani

(G.S. SANDHAWALIA)
JUDGE