

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

**CWP No. 16740 of 2016 (O & M)
Date of decision : 15.11.2016**

Satbir Singh

.....Petitioner

v.

State of Haryana and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present : Mr. Vishal Nehra, Advocate, for the petitioner

Anupinder Singh Grewal, J. (Oral) :

The petitioner has sought a direction to the respondents to reinstate him as Trained Graduate Teacher (TGT) (Hindi Guest Teacher). He has sought a further direction that the arrears of his salary be also paid to him.

The petitioner had earlier filed CWP No. 17203 of 2015 for issuance of a writ in the nature of mandamus directing the respondents to consider him for re-employment as TGT (Hindi Guest Teacher) and to pay him the arrears of salary w.e.f. 8.5.2014 to June 2015 along with interest @ 18% p.a. thereon. The said petition was disposed of by a coordinate Bench of this Court on 17.3.2016. The relevant extract of the order dated 17.3.2016 is reproduced hereunder :

“Petitioner restricts his prayer to grant the arrears of salary w.e.f. 8.5.2014 to June 2015. The petitioner has made a representation dated 4.5.2015 (Annexure P-5) to respondent No.3, in which, he is making reinstatement and arrears of pay but no decision has been taken thereon.

Learned counsel for the petitioner states that at this stage, the petitioner will be satisfied, if directions are issued to the respondent(s) to decide the representation dated 4.5.2015 (Annexure P-5) in regard to arrears of pay only.

In view of above, without commenting on the merits of the case, this petition is disposed of with a direction to the respondent(s) to decide the representation dated 4.5.2015 (Annexure P-5) only with regard to payment of arrears of salary of the petitioner, by passing a speaking order, within a period of three months, in accordance with law.”

A perusal of the order dated 17.3.2016 indicates that the petitioner had restricted his prayer only to the grant of arrears of salary w.e.f. 8.5.2014 to June 2015. He had, thus, given up the prayer for considering his case for re-employment as TGT. Once a petition has been filed and it has been disposed of after the petitioner therein has given up his prayer, it is not open to him to file a fresh one for similar directions.

In so far as the prayer of the petitioner for payment of wages for the afore noted period is concerned, the respondents have, after considering his representation, arrived at the conclusion that the petitioner has not worked in any school from 8.5.2016 to June 2015 and thus, he was not entitled for the wages for this period. Therefore, his representation has been dismissed vide order dated 25.7.2016 (Annexure P-4).

The petitioner has not been able to draw my attention to any document in support of his claim that he has worked for the afore noted period and therefore, I do not find any infirmity in the order dated 25.7.2016 rejecting the case of the petitioner for the grant of arrears of salary.

Consequently, the petition being devoid of any merit stands dismissed.

(ANUPINDER SINGH GREWAL)
JUDGE

15.11.2016
Ashwani

Speaking/Reasoned
Reportable

Yes/No
Yes/No