

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CWP No. 18765 of 2014 (O&M)

Date of Decision: 16.08.2016.

Ravish Sharma

--Petitioner

Versus

State of Haryana and others

--Respondents

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

Present:- Mr. S.S. Dinarpur, Advocate for the petitioner.

Mr. Rajesh Gaur, Addl. A.G., Haryana.

TEJINDER SINGH DHINDSA.J

The petitioner, who is working as a Dental Surgeon under the Health Department, State of Haryana filed the instant petition seeking the issuance of a Writ of Mandamus for directing the respondents to release to him the arrears of salary as also other allied allowances for the period March, 2014 till the date of filing of the petition. Case of the petitioner was that without any justifiable basis the salary has been withheld.

Upon notice of motion having been issued, a joint written statement on behalf of respondents no.1 to 5 has been filed and placed on record. In the reply a stand has been taken that the entire salary amount of Rs.8,40,732/- has already been released and deposited in the account of the petitioner on 15.11.2014. Further categoric stand taken is that nothing is now due towards the petitioner. Learned State counsel, accordingly, argues that the instant petition be disposed of as having been rendered infructuous.

Counsel for the petitioner would, however, submit that even though, the salary for the period in question has since been released and disbursed to the petitioner but the same was delayed and as such, the

petitioner would be entitled to interest component on the same. It is further contended that even increments for the period in question as also H.R.A pertaining to Kalayat station has not been released till date.

The written statement filed on behalf of the respondents is silent in so far as the delay in releasing salary to the petitioner. Even as regards increments and H.R.A pertaining to Kalayat station, no justification has been offered in the written statement.

The present writ petition is, accordingly, disposed of by granting liberty to the petitioner to approach the respondent authorities/respondent no.2 to stake his claim for interest on the delayed release of salary, increments as also H.R.A pertaining to Kalayat station.

In the eventuality of any such claim being set out, respondent no.2 would be obligated to consider the same strictly in accordance with law and a final decision thereupon shall be taken expeditiously.

Disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

16.08.2016
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Whether speaking/reasoned: Yes

Whether Reportable: No