

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

**CWP No.4585 of 2016
Date of decision:10.3.2016**

Inderjit Nanda & anr.

... Petitioners

Versus

State of Punjab & anr.

... Respondents

CORAM:- HON'BLE MR. JUSTICE RAJIV NARAIN RAINA

Present: None for the petitioners.

1. To be referred to the Reporters or not? **Yes.**
2. Whether the judgment should be reported in the Digest? **Yes.**

RAJIV NARAIN RAINA, J.(Oral)

1. A trifling issue has been raised in this petition by two retired teachers invoking writ jurisdiction for recovery of one month's salary for the period 1.3.2010 and 31.3.2010 with interest at the rate of 18%. On retirement in February 2010 they were asked by the Principal to teach for a month to conclude the academic session till the end of March and recommended the case for payment to the District Education Officer (S) Amritsar by his hand written letter dated 17.8.2010, Annex-1. They say they were re-employed for a month but no written proof has been placed on record of the paper-book by way of an order of the competent authority except the letter at Annex-1 [and the attendance register, which has not been produced but can, it is pleaded, be shown if called for by the Court] on which a legal claim cannot be based sufficient to activate the discretionary and extraordinary writ jurisdiction under Article 226 of the Constitution. Writs are not issued in trifling matters which can be sorted out by alternative dispute settlement mechanisms.

2. Besides, the petition has been filed six years in retirement. A suit for recovery of the money claimed belatedly, if brought in the civil court, would most certainly be barred by time. Neither the petitioners have appeared nor their counsel in this fresh matter when called on for hearing in urgent matters. If they had, this Court may have considered imposing costs on them for wasting the time of the court on a stale and trifling matter.

3. This is an appropriate case to apply the maxim; *de minimis non curat lex*, "the law cares not for small things." A legal doctrine by which a court refuses to consider trifling matters.

4. Dismissed in limine.

(RAJIV NARAIN RAINA)
JUDGE

10.3.2016
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