

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CWP No.17746 of 2017 (O&M)
Date of decision:21.11.2017

Komal Krishan

... Petitioner

Vs.

The Central Administrative Tribunal,
Chandigarh Bench, Chandigarh and others

... Respondents

**CORAM: HON'BLE MR. JUSTICE AJAY KUMAR MITTAL
HON'BLE MR. JUSTICE AMIT RAWAL**

Present:- Mr. Karan Nehra, Advocate
for the petitioner.

AJAY KUMAR MITTAL, J. (ORAL)

1. In this writ petition filed under Articles 226/227 of the Constitution of India, the petitioner has prayed for issuance of a writ in the nature of certiorari and mandamus for quashing of the order dated 12.08.2016 (Annexure P-28) passed by the Central Administrative Tribunal (in short 'CAT') in O.A./No.060/00362/2015 to the extent that therein no order has been chosen to be passed regarding the release of salary of the petitioner which was illegally withheld by the Railway Department since April, 2014 and further for directing the respondents to immediately release all the pending salary of the petitioner for the period from 19.04.2014 to 10.10.2016 by treating the period from 19.04.2014 to 03.11.2014 as on leave and while the period from 03.11.2014 till 10.10.2016 as waiting for orders of posting/duty.

2. After arguing for some time, learned counsel for the petitioner submitted that issue with regard to release of salary of the petitioner which was withheld by the Railway Department, has not been discussed in the impugned order by the CAT. Accordingly, a prayer was made that he may be allowed to withdraw the present writ petition with liberty to the petitioner to approach the CAT by filing a review application.
3. Dismissed as withdrawn.
4. However, it shall be open to the petitioner to take recourse to the remedies as may be available to him, in accordance with law.

(AJAY KUMAR MITTAL)
JUDGE

(AMIT RAWAL)
JUDGE

November 21, 2017
savita

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No