

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

CWP No.22203 of 2017 (O&M)

Date of Decision: 27.11.2017

Sunil Kumar Khosla

... Petitioner

Versus

State of Punjab & others

... Respondents

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

Present:- Mr. Raj Kumar Garg, Advocate for the petitioner.

Mr. Avinit Avasthi, AAG, Punjab.

...

TEJINDER SINGH DHINDSA, J. (ORAL).

The instant petition had come up for hearing before this Court on 14.11.2017 and the following order was passed:

“Petitioner who was serving as Senior Auditor under the Rural Development and Panchayats Department, State of Punjab was promoted to the post of Accounts Officer in pursuance to the recommendations of a Departmental Promotion Committee vide order dated 21.12.2016. Petitioner is stated to have duly joined on the promotional post on 21.12.2016 itself vide joining report Annexure P-3.

Apparently one Alok Prabhakar has joined on the same very post on 19.07.2017 on which the petitioner was serving and which necessitated the transfer of the petitioner to the Office of the Director Rural Development and Panchayats Department.

The precise grievance raised by the petitioner is that in spite of having discharged the duties and responsibilities of the post of Accounts Officer, petitioner has not been released his salary since the month of July, 2017.

Mr. Garg, learned counsel has very fairly apprised the

Court that after filing of the instant petition, the respondent authorities have terminated the extension in service that had been granted to the petitioner beyond the age of superannuation on 29.09.2017. He contends that the action of terminating the extension in service has been challenged in separate proceedings.

Under such circumstances the short issue that remains is with regard to the claim of the petitioner for salary/admissible emoluments of the post of Accounts Officer for the period July to September, 2017.

Notice of motion, returnable for 27.11.2017.

On the asking of the Court, Mr. Avinit Avasthi, AAG, Punjab accepts notice on behalf of respondent Nos.1 to 4.

A complete copy of the writ paper book already stands furnished to learned State counsel and who would complete instructions in the matter by the adjourned date.

To be shown in the urgent list.”

During the course of resumed hearing, Mr. Avinit Avasthi, learned AAG, Punjab upon instructions from Smt. Jasbir Kaur, Superintendent, Department of Rural Development and Panchayats, Punjab apprises the Court that the petitioner has discharged his duties and responsibilities of the post of Accounts Officer for the period from July to September, 2017. An undertaking is furnished by Smt. Jasbir Kaur, Superintendent, Department of Rural Development and Panchayats, Punjab, who is present in Court that the salary for the afore noticed period i.e. from July to September, 2017 admissible to the post of Accounts Officer under the Department of Rural Development and Panchayats, State of Punjab would be released to the petitioner within a period of six weeks from today.

Counsel for the petitioner states that in view of such undertaking having been recorded, nothing would survive in the instant

petition.

Petition is disposed of.

Needless to observe that the State Government would be bound by the undertaking furnished and recorded today.

Pending applications, if any, shall also stand disposed of.

27.11.2017

harjeet

(TEJINDER SINGH DHINDSA)
JUDGE

(i) Whether speaking/reasoned? Yes

(ii) Whether Reportable? No