

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

**Execution Application No.17 of 2012 in  
Civil Writ Petition No.7978 of 2008  
Decided on : 29.11.2017**

Rajinder Kumar Saroha

... Applicant

Versus

State of Haryana and others

... Respondents

**CORAM : HON'BLE MR.JUSTICE G.S. SANDHAWALIA**

Present : Mr. Harit Sharma, Advocate  
for the applicant.

Ms. Shruti Jain Goyal, AAG, Haryana.

Mr. Kamalpreet Singh, Advocate for  
Mr. Pawan Kumar Mutneja, Advocate  
for respondent No.4.

**G.S. Sandhawalia, J. (Oral)**

The present execution application has been filed claiming a sum of ₹31,48,847/- as a salary for the period from June, 2000 to 30.06.2010, till the date of retirement.

It is the case of the applicant-employee that in view of the order dated 22.12.2009 passed in connected **CWP No.1207 of 2007 'CRZ Senior Secondary School, Sonapat and another Vs. State of Haryana and others'**, the amounts are due. Thereafter, the following order was passed on 16.11.2017:-

*“Affidavit of respondent-Principal, CRZ Sr. Sec. School, Sonapat has been filed to show that a sum of ₹ 29,75,242/- has been paid to the petitioner. The said affidavit is taken on record. A sum of ₹ 1 0,000/- on account of costs has also been paid to the counsel for the petitioner.*

*Mr. Harit Sharma prays for two weeks' time to confirm as to whether execution has been rendered infructuous or not.*

*Adjourned to 29.11.2017.”*

Today, Mr. Sharma submits that as per the order dated 02.11.2015, the Director Secondary Education Haryana had sanctioned a sum of ₹3,50,000/- as death-cum-gratuity payable to the petitioner-applicant, which amount has not been paid and other amounts also for leave encashment etc. remain unpaid.

Resultantly, keeping in view the fact that substantial amount had already been paid by respondent-management to the tune of ₹29,75,242, this Court is of the opinion that it is open to the petitioner to file an appropriate application before the Appellate Authority, namely, respondent No.2 against whose orders the writ petition has been filed. The details of the amounts due under the specific heads and after adjusting the amount which has already been paid will be given in the said application. The Director shall thereafter taking comments of the respondent-management take a decision as to whether any additional amounts are outstanding to the petitioner-applicant as claimed.

The petitioner may file the application within a period of 4 weeks from today and on the receipt of the comments, the exercise be completed within a period of 3 months, thereafter.

With the above said liberty, the present execution application is disposed of.

**NOVEMBER 29, 2017**  
*Naveen*

**(G.S. SANDHAWALIA)**  
**JUDGE**

*Whether speaking/reasoned:*

*Yes/No*

*Whether Reportable:*

*Yes/No*