220

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Civil Writ Petition No. 12791 of 2017 (O&M)
Date of Decision: 01.11.2018

Suresh Kumar and others

..... Petitioners

Versus

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. Manish Joshi, Advocate for
Mr. Jagdeep Bains, Advocate
for the petitioner.

Mrs. Ishneet Kaur, Assistant Advocate General, Punjab
for the respondents/State and **assisted by**
Mr. Prem Chand, Superintendent, O/o Financial Advisor &
Chief Accounts Officer, Ranjit Sagar Dam Project,
Shahpurkandi Township, District Pathankot.

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JASWANT SINGH, J. (ORAL)

The petitioners, thirty-eight (38) in number, are stated to be serving on Class-III & IV Posts, comprising field staff posted at Ranjit Sagar Dam and Shahpurkandi Dam Projects, Shahpurkandi Township, District Pathankot. They are seeking a direction to release the payments of dues and arrears including release of arrears of second schedule, annual increment, step-up increment, medical allowance, DCRG, leave encashment, dearness allowance, GIS, special increment, LTC & 30% revision of pay.

An affidavit dated 27.08.2018 of Sh. Surinder Mohan, Financial Advisor and Chief Accounts Officer, Ranjit Sagar Dam & Shahpurkandi Dam Projects, Shahpurkandi Township, Tehsil & District Pathankot, stands filed, and the relevant paras No. 4 to 7 read as under:-

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"4. That it is respectfully brought to the notice of this Hon'ble Court that the due payment of petitioners at Sr. No. 1, 2, 4, 5, 6, 8, 9, 10, 11, 12, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 37 & 38 have been made by depositing the same in their respective Bank Accounts.

5. That out of four payments of petitioner at Sr. No. 13, three payments i.e. arrear of ACP/Annual increment and special increment have been made by depositing the same in his respective bank Account. The claim of Medical reimbursement amounting to Rs.20,000/- is concerned, the same has been wrongly claimed as no bill has been submitted by the petitioner with the office of the answering deponent.

6. That the due payments of arrears of all the petitioners in the present petition have been made by the answering respondent. However, in so far petitioner No. 3 & 7 is concerned, the benefit of special increments have been granted to them but they are not entitled for arrears as their pay remains the same as per the pay fixation chart. Copy of pay fixation chart is annexed as ***ANNEXURE R-1 & R-2****.*

7. That the petitioner at Sr. No. 36 has claimed the payment of arrear of special increment and 30% arrear of revised pay scale. However, the due payment of 30% arrear of revised pay scale has been made by depositing the same in his respective bank account but is not entitled for arrear on account of special increments as his pay remain the same as per the pay fixation chart. Copy of pay fixation chart is annexed as ***ANNEXURE R-3****.*

Learned State Counsel, on instructions from Mr. Prem Chand, Superintendent, O/o FA & CAO, Ranjit Sagar Dam, Shahpurkandi (Pathankot) states that the payments have since been released to the

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petitioners and nothing more survives for adjudication in the present petition and the same has become infructuous.

In response, proxy counsel for the petitioner, on instructions from Mr. Shish Pal, Clerk of main counsel, also concedes that the entire claimed payments have since been released to the petitioners and the writ petition has become infructuous.

In view of the aforesaid agreed stand, present petition is **"Dismissed as Infructuous"**.

November 01, 2018 **(JASWANT SINGH)**
'dk kamra' **JUDGE**

Whether Speaking/reasoned	*Yes/No*
Whether Reportable	*Yes/No*

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