

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

CWP No.19551 of 2018

Decided on :03.10.2018

Gulab Singh

... Appellants

Versus

State of Haryana and others

... Respondents

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

Present: Mr. Raghav Sharma, Advocate
for the petitioner.

Ms. Vibha Tewari, AAG, Haryana
for respondents No.1 to 4.

Mr. Vikram Singh, Advocate
for respondent No.5.

G.S. Sandhawalia, J. (Oral)

The present writ petition under Article 226/227 of the Constitution of India has been filed for directing the respondents to release the salary of the petitioner due from the month of January, 2017.

Mr. Sharma submits that in pursuance of the last order, the petitioner has received the arrears of salary for the last two years. However, the revised salary has not been received. The relevant part of the order dated 27.09.2018 reads as under:-

“Mr. Vikas Kumar, BDPO is present in Court in person. He assures this Court through Mr. Shivendra Swaroop, AAG, Haryana that the entire arrears of salary which is due including the revised salary, if any, shall be paid to the petitioner on 01.10.2018. The petitioner shall be present before respondent no.4 and receive the said amount which will be paid to him after obtaining a proper receipt. In case the needful is not done, respondent no.2 shall be present

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

CWP No.19551 of 2018

-2-

in Court to explain as to how a Class-IV employee can be denied salary from January, 2017 and how is to sustain himself.

Adjourned to 03.10.2018.

Copy of the order be given to counsel for the State under signatures of Special Secretary of the Court."

Counsel for the State submitted that the petitioner was not entitled for the revised salary, since there was no such formal sanction. This Court is not adjudicating on the said issue. However, the fact remains that a Class-IV employee has been forced to approach this Court, on account of the obstinate stand of the respondent No.5, on the basis of which, the official respondents also were not considerate enough as such to continue paying the salary, since January, 2017. In such circumstances, in view of the stand taken by respondent No.5, this Court is of the opinion that for the unnecessary litigation, which has been foisted upon the petitioner and upon this Court, the said respondent shall pay ₹10,000/- as costs to the petitioner, which shall be paid by respondent No.4, after adjusting from the dues of the Gram Panchayat Ishakpur, Tehsil Thanesar, District Kurukshetra. The needful be done within a period of four weeks from today.

The writ petition is disposed of, accordingly.

OCTOBER 03, 2018

Naveen

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

*Whether speaking/reasoned:
Whether Reportable:*

*Yes/No
Yes/No*