

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-29961-2018

Date of decision: - 28.11.2018

Dr. Narender Kumar Kalia

....Petitioner

Versus

State of Haryana and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Gursher Singh Bhandal, Advocate
for the petitioner.

HARSIMRAN SINGH SETHI, J. (ORAL)

Present petition has been filed by the petitioner, who is former Director and Head of the E.S.I. Healthcare, Haryana, claiming the salary for the period after he was re-employed with the respondents.

As per the averments in the petition, the petitioner superannuated on 30.11.2014 after rendering 34 years of service. Vide order dated 07.09.2017 (Annexure P-5), the petitioner was re-employed upto the age of 65 years. Petitioner has made a grouse in the petition that despite the fact that he is continuously discharging his duties, he is not being paid his salary.

Counsel for the petitioner states that for the relief, which has claimed in the present writ petition, the petitioner has served respondents

with a legal notice on 23.04.2018 (Annexure P-7). The said legal notice was replied by the respondents on 07.06.2018 stating that the matter is under consideration and the case has already been sent to the authorities for approval. Counsel for the petitioner further states that despite the fact that more than five months has elapsed since the reply was submitted, still no action has been taken by the respondents to release the salary of the petitioner.

Counsel for the petitioner further states that persons, who were re-employed after the retirement of the petitioner, are being paid the salary regularly, whereas, in the case of the petitioner the reply has been given that the matter is under consideration and is pending for approval.

Keeping in view the controversy, the present writ petition is disposed of with a direction to the respondents to finalize the claim of the petitioner with regard to the payment of his salary after his re-employment within a period of three months from the date of a receipt of certified copy of this order. In case after the decision, it is found that the petitioner is entitled for any monetary benefit, the same shall also be released to him within a period of next three months.

Present writ petition stands disposed of.

(HARSIMRAN SINGH SETHI)
JUDGE

November 28, 2018
naresh.k

Whether reasoned/speaking?	Yes
Whether reportable?	No