

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Letters Patent Appeal No. 454 of 2018 (O&M) in
CWP No. 19160 of 2017
Date of decision: 2.5.2018

Budh Dev Yadav

.. Appellant

v.

State of Haryana and another

.. Respondents

CORAM: HON'BLE MR. JUSTICE RAJESH BINDAL
HON'BLE MR. JUSTICE B. S. WALIA

Present: Mr. Dhiraj Chawla, Advocate for the appellant.

...

Rajesh Bindal J.

Order dated 25.8.2017 passed by the learned Single Judge dismissing the writ petition has been impugned by filing the present intra court appeal.

The appellant in the present case was selected as President, District Consumer Disputes Redressal Forum vide appointment letter dated 30.9.2010. However, his appointment was kept pending till the decision of matter pending in Hon'ble the Supreme Court. The issue was raised by the appellant. His claim was rejected by the Government vide letter dated 5.6.2012. The order was impugned by filing CWP No. 16941 of 2012, however, during the pendency of the writ petition, the matter pending before Hon'ble the Supreme Court in Civil Appeal No. 561 of 2013 arising out of SLP No. 17463 of 2010—Deepak Aggarwal v. Keshav Kaushik and

others having been decided on 21.1.2013, the appellant was given appointment on 19.3.2013 and he joined as President, District Consumer Disputes Redressal Forum on 21.3.2013. On attaining the age of 65 years, he was superannuated on 31.1.2017. The claim now made is for salary for the period from which he was initially appointed and till the date he joined, as he was not at fault. The claim has been rejected by the learned Single Judge. We do not find any error in the order passed as on the principle of 'no work no pay', the appellant cannot be granted salary for the period he had not performed the duty. The matter was put on hold by the Government on account of pendency of a case before Hon'ble the Supreme Court. There is no error in the order passed by the learned Single Judge.

Accordingly, the present appeal is dismissed.

(Rajesh Bindal)
Judge

(B. S. Walia)
Judge

2.5.2018
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Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No