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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **CONT.CAS(C) 371/2018**

DHEERAJ YADAV

..... Petitioner

Through: Ms.Saahila Lamba and Mr.T.S.Dagar,
Advocates.

versus

VISHWESH CHAUBEY & ORS

..... Respondents

Through: Mr.J.K.Singh, Standing Counsel
(Rly.).

CORAM:

HON'BLE MS. JUSTICE HIMA KOHLI

HON'BLE MS. JUSTICE PRATIBHA RANI

ORDER

% **16.05.2018**

1. The petitioner is aggrieved by the action of the respondents in making recoveries from his salary for the months of March and April, 2018 to the tune of ₹5,867/- per month, in the teeth of an interim order dated 28.02.2018, passed in W.P.(C) No.1946/2018, whereunder the respondents were specifically restrained from making any further recoveries from his salary.

2. We may note that on 28.02.2018, Mr.J.K.Singh, Standing Counsel for the respondents was present in the court and copy of the said order was given '*Dasti*' to the learned counsels for the parties. Despite the same, the respondents have arbitrarily proceeded to deduct further amounts from the petitioner's salary.

3. On the first call, none was present for the respondents and the matter was passed over. Mr.J.K.Singh, learned counsel for respondents entered appearance on the second call and stated that he was unaware of the background in which despite there being a stay order of this Court,

deductions have been made from the petitioner's salary. The matter was again passed over for him to obtain clear instructions from the department.

4. On the third call, Mr.J.K.Singh, learned counsel for the respondents states that the brief has been assigned by the department to Mr.Ashok Kumar Singh, Advocate who had appeared in the petition, before the Registrar on 09.05.2018. He states that some confusion might have occurred due to the fact that the petitioner has been transferred a couple of times during the last few months. Learned counsel assures the court that the petitioner shall be restituted for the amounts deducted from his salary after passing of the order dated 28.02.2018, within three weeks and further, the respondents shall strictly comply with the said interim order.

5. While cautioning the respondents to be more careful in the future, the present petition is disposed of. It is made clear that in the event any further deductions are made from the salaries of the petitioner during the operation of the interim order, not only shall the said amount be restituted, the officer(s) responsible for making the deductions shall face the ire of the court.

HIMA KOHLI, J.

PRATIBHA RANI, J.

MAY 16, 2018

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