

CWP No.10606 of 2015

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

**CWP No.10606 of 2015
Date of decision: 13.05.2019**

Hari Singh.

....Petitioner

Versus

State of Haryana and ors.

....Respondents

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

Present: Mr. Rabinder Singh, Advocate for the petitioner.

Mr. Harish Rathee, Sr. DAG, Haryana.

B.S. WALIA, J (ORAL)

1. Prayer in the writ petition is for the issuance of a writ of Certiorari for quashing order Annexure P-9 dated 30.4.2015 passed by respondent No.2 vide which the claim of the petitioner for salary and ex post facto approval of the re-employment tenure from 01.02.2014 to 31.01.2015 has been rejected. Prayer is also for the issuance of a writ of Mandamus directing respondent No.2 to accord ex-post facto sanction and release salary for the afore mentioned period.
2. Learned counsel for the petitioner states that during the pendency of the petition, the petitioner has been released salary as per his entitlement for the period claimed. However, claim for interest has not been decided till date nor costs ordered vide order dated 01.06.2017 paid till date.

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3. Learned Sr. DAG, Haryana states that costs directed to be paid vide order dated 01.06.2017 shall be paid to the petitioner by way of demand draft within two weeks from today. However, as regards the claim for payment of interest on the salary released to the petitioner, the writ petition be disposed of by granting liberty to the petitioner to pursue the matter with the authorities for payment of interest.

4. The same satisfies learned counsel for the petitioner.

5. In view of the statement of learned counsel for the parties, the writ petition is disposed off. Costs of ₹10,000/- imposed on the respondents vide order dated 01.06.2017 is directed to be paid by demand draft in the name of the petitioner by registered post within a period of two weeks from the date of submission of certified copy of this order failing which the same would carry interest @ 9% per annum with effect from 27.09.2017 till date of payment and the costs and interest to be recovered from the person/persons responsible for delay in remitting the costs.

6. The petitioner would be at liberty to submit a representation to the respondents for payment of interest on the salary paid to him for the period 01.02.2014 to 31.01.2015 on account of late release of salary. In case any such representation is submitted, the same shall be considered and decided by the Competent Authority by passing a speaking order within three months thereafter.

(B.S. WALIA)
JUDGE

May 13, 2019

Ps

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