

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP-15723-2016 (O&M)

Date of Decision:-10.01.2019.

Jasbir Singh

.....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present: Mr. Atul Goyal, Advocate for the petitioner.

Mr. Abhaypal Singh Gill, AAG, Punjab.

Ms. Anupam Bhanot, Advocate for respondent Nos.2 to 6.

ARUN MONGA, J. (Oral)

1.) Present writ petition has been filed for issuance of a writ in the nature of mandamus *inter alia* directing the respondent No.2-Punjab State Power Corporation Limited to release the salary of the petitioner which has not been paid since December, 2015.

2.) Learned counsel for the petitioner contends that the petitioner was posted as Junior Engineer and was authorized to withdraw material from the depots which were located at the place of his posting. He further states that every year, a Junior Engineer is supposed to submit the record of the expenditure incurred by him as well as the material utilized by him. States that once the said record is submitted to the office of Sub-Divisional Officer, the same is inspected by the Sub-Divisional Officer and, thereafter, submitted further to the office of Executive Engineer. Learned counsel for the petitioner further contends that the petitioner has submitted the entire record of expenditure incurred and material utilized under his supervision

and the same has been duly inspected by the Sub-Divisional Officer and submitted further in the office of Executive Engineer. He states that notwithstanding the same, the salary of the petitioner is not being released. He further states that even the No Dues Certificate issued by the Executive Engineer has been discarded by raising frivolous objections.

3.) *Per contra*, learned counsel for the respondents-PSPCL states that the contention of the petitioner that petitioner has submitted the entire record is not correct as he has only submitted partial record. She further points out that the petitioner is not entitled to relief of salary as a proposed recovery of ₹ 24,32,427/- is pending from the petitioner.

4.) After hearing the arguments, the learned counsel for the respective parties are *ad idem* that if the petitioner submits the entire record as claimed by the learned counsel for respondent Nos.2 to 6, then his salary would be remitted within 30 days thereafter. In view thereof, respondent No.2 is directed to communicate a list of the specific record which they claim has not been submitted by the petitioner and get the same verified by the Sub-Divisional Officer as also by the Executive Engineer to whom the petitioner is stated to have submitted the entire record as per his contention.

5.) Accordingly, the present writ petition is disposed of with liberty to the petitioner to approach the Court in the event he is adversely affected by the proposed written communication of submitting the specific record.

(ARUN MONGA)
JUDGE

January 10, 2019.

sandeep

Whether speaking/reasoned:-

Whether Reportable:-

Yes / No

Yes / No.