

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

242

CWP-11614-2018

Date of decision : October 29, 2019

SHAM SINGH

.....Petitioner

Versus

STATE OF PUNJAB AND OTHERS

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present: Mr. R.K. Arora, Advocate
for the petitioner.

Mr. Abhaypal Singh Gill, AAG, Punjab.

Mr. H.K. Aurora, Advocate
for the respondent Nos. 2 and 3.

-*-

TEJINDER SINGH DHINDSA , J (ORAL)

Petitioner who was serving on the post of Pump Operator under the Municipal Corporation Jalandhar filed the instant writ petition seeking a mandamus for directing the respondent authorities to release salary to him for the period from 01.05.2017 to 20.11.2017 and from 07.02.2018 to 04.03.2018.

A writ of certiorari was also sought seeking the setting aside of the charge-sheet dated 06.02.2018 (Annexure P-10).

Mr. H.K. Aurora, Advocate representing respondent Nos. 2 and 3 has apprised the Court that the departmental proceedings initiated against the petitioner has culminated in the passing of two separate orders of penalty

(i) stoppage of one annual increment with cumulative effect and the second punishment of censure was imposed.

Counsel further submits that the disciplinary authority has also taken a decision not to release salary to the petitioner pertaining to the period that he had remained under suspension.

The order(s) of penalty that have been passed subsequent to the filing of the instant writ petition are not a subject matter of challenge herein.

Confronted with such a situation counsel for the petitioner seeks withdrawal of the writ petition with liberty to file afresh to raise the challenge to the orders passed subsequent to the filing of the writ petition on such grounds that may be available in accordance with law.

Prayer is allowed.

Writ petition is disposed of in terms of liberty as prayed for.

The question as regards the release of salary for the two periods notices hereinabove is also kept open.

**(TEJINDER SINGH DHINDSA)
JUDGE**

October 29, 2019.
tarun

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No