

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP- 20884-2020

Date of Decision : December 07, 2020

Heera Lal

..... PETITIONER(S)

VERSUS

State of Haryana and another

.... RESPONDENT(S)

CORAM : HON'BLE MR. JUSTICE SANJAY KUMAR

Present: Mr. Ganesh Chand Sharma, Advocate, for the petitioner.
Mr. Rajesh Gaur, Additional Advocate General, Haryana.

...

Sanjay Kumar, J.

The grievance of the petitioner, an employee of the Municipal Corporation, Faridabad, is that he is not being paid salary.

Admittedly, the salary of the petitioner was attached pursuant to the order dated 24.09.2018 passed by the learned Additional Sessions Judge, Faridabad, so as to secure his presence in a criminal case. However, the said order was subjected to challenge before this Court in CRR-3103-2019. By order dated 07.10.2020 passed therein, this Court noted that the petitioner had already deposited a sum of ₹ 50,000/- in relation to the subject criminal case and permitted him to deposit a further sum of ₹ 80,000/-. Subject to such deposit being made, the order dated 24.09.2018

passed by the learned Additional Sessions Judge, Faridabad, was stayed.

Mr. Ganesh Chand Sharma, learned counsel for the petitioner, produced proof of the deposit of ₹ 80,000/-, by way of a Demand Draft, on 16.10.2020. In effect, the conditional stay order granted by this Court on 07.10.2020 became operative. In effect, there is no attachment of the petitioner's salary as on date.

Mr. Rajesh Gaur, learned counsel appearing for the Municipal Corporation, Faridabad, would state that salary arrears, in part, have already been disbursed to the petitioner but the balance still remains to be remitted. As the attachment of his salary no longer continues and the Municipal Corporation availed the services of the petitioner during the period concerned, it is not open to it to delay payment of salary for the services already rendered.

This writ petition is accordingly disposed of directing the Municipal Corporation, Faridabad, to ensure release of the balance arrears of salary payable to the petitioner within 15 days from the date of receipt of a certified copy of this order. The Municipal Corporation shall continue to pay the future salary of the petitioner regularly, without any unjustified delay.

No order as to costs.

December 07, 2020
Kang

(Sanjay Kumar)
Judge

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