

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

CWP NO. 15040 OF 2021

DATE OF DECISION : 09.08.2021

Ishwar Singh

...Petitioner

Versus

State of Haryana and another

...Respondents

CORAM : HON'BLE MR. JUSTICE ARUN MONGA

Present : Mr. Parveen Sharma, Advocate,
for the petitioner.

Mr. Saurabh Mohunta, DAG, Haryana.

(Presence marked through video conferencing).

ARUN MONGA, J. (ORAL)

Petitioner herein, *inter alia*, seeks issuance of a writ in the nature of mandamus directing the respondents to release his salary from March, 2021 claiming that the same has been wrongly withheld.

2. Learned counsel for the petitioner submits that petitioner joined the respondent department in the year 2007. Since then he has been performing his duties sincerely. However, respondent No.2-department has withheld his salary from March- 2021 onwards, without any reason. Earlier also his salary was withheld by the department in the year 2018 and after approaching this court, his salary was released. Now again respondent No.2 has withheld his salary without any reason.

3. In the premise, petitioner also submitted representation dated 01.07.2021 (Annexure P-2), but to no avail. Hence, the instant petition.

4. On advance service of copy of the petition, Mr. Saurabh Mohunta, DAG, Haryana, joins the proceedings and states that competent authority shall take appropriate decision on the pending representation dated 01.07.2021.

5. At this stage, learned counsel for the petitioner also submits that let a final decision be taken, either way, on the pending representation, giving reasons thereof.

6. Given the nature of order being passed, there is no necessity to seek return by any of the respondents as no further proceedings and/or pleadings are required.

7. Without commenting on the merits of the case, the writ petition is disposed of with a direction to the competent authority/ respondent No.2, to look into the grievance of the petitioner as per representation dated 01.07.2021 (Annexure P-2) and also by keeping in view the contentions raised in the instant petition by treating the same as supplementary representation and decide the same either way, by passing a speaking order in accordance with law, within a period of 30 days from today. As an outcome thereof, in case salary withheld salary is indeed unpaid despite being found payable, same be disbursed to the petitioner within a period of 30 days thereafter, failing which the same shall be paid to the petitioner along with compensatory interest @ 12% per annum.

8. Disposed of in above terms.

AUGUST 09, 2021
Shalini

(ARUN MONGA)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No