

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP No. 14778 of 2020 (O&M)
Date of Decision:19.01.2021

Sandeep

.....Petitioner

Versus

State of Haryana and others

..... Respondents

CORAM:- HON'BLE MRS.JUSTICE LISA GILL

Present: Mr. Sandeep Thakan, Advocate
for the petitioner.

Ms. Upasana Dhawan, AAG., Haryana.

LISA GILL, J(Oral).

This matter is being taken up for hearing through video conferencing due to outbreak of the pandemic, COVID-19.

This petition has been filed seeking a direction to the respondents to release the arrears due to the petitioner along with interest in terms of order dated 20.02.2019, Annexure P-3, passed by a Division Bench of this Court in LPA No. 1273 of 2018 and other connected matters.

It is submitted that petitioner continuously worked on the post of DTH Chowkidar w.e.f., 01.04.2012 to 02.08.2018. Similarly situated persons had approached this Court and a bunch of writ petitions were decided by a Coordinate Bench on 15.05.2017, Annexure P-2, whereby the respondents were directed to pay wages at the minimum of the regular pay scale available to regularly appointed employees of the same category as determined in Minimum Wages Act, 1948, since the date of their

appointment or a period of 38 months prior to filing of the present writ petition whichever is later.

LPA No. 1273 of 2018 and other connected petitions were filed challenging decision of the Single Bench in CWP No. 17946 of 2015 and other connected matters. State Government before the Division Bench, took a categorical stand that it had finally decided that 4288 Chowkidars would be given honorarium at par with Revenue Chowkidars since their engagement was on the basis of the honorarium, not appointed to any civil post but only to meet out the local needs for specific purposes. Amount of arrears was calculated as Rs.105,58,89,984/- from June 2011 till 18.02.2019. Pattern on which the Chowkidars would be paid is detailed in order dated 20.02.2019, Annexure P-3, in LPA No. 1273 of 2018 and other connected matters. However, honorarium at par with Revenue Chowkidars pursuant to a specific stand taken by the State before the Division Bench in LPA No. 1273 of 2018 has not been released. It is stated that despite said orders, arrears were not being released to the petitioner, who is similarly situated as the petitioners in litigation before this Court.

As per short reply by way of affidavit dated 12.01.2021, of Sh. Ram Avtar Sharma, District Elementary Education Officer (DEEO), Bhiwani, filed on behalf of respondents no.1 to 3, it is categorically stated that the petitioner has been found entitled to get arrears of the honorarium w.e.f., 01.04.2012 to 02.08.2018, amounting to Rs.1,96,984/- and the same would be released in the petitioner's favour.

Learned counsel for the petitioner verifies that the said amount has since been released.

In this view of the matter, no further orders are called for in this petition.

Writ petition is accordingly disposed of as infructuous.
Needless to say, liberty is afforded to the petitioner to agitate his claim for interest, if made out, before the authorities.

19.01.2021	[LISA GILL]
s.khan	Judge
Whether speaking/reasoned :	Yes/No.
Whether reportable :	Yes/No.