

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

CWP-18476-1998 (O&M)

Date of decision: May 09, 2022

Daya Nand

.....Petitioner

versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present: Mr. Shubham Saroha, Advocate,
For the petitioner.

Mr. R.D. Sharma, DAG, Haryana.

ARUN MONGA, J. (ORAL)

Grievance of the petitioner herein, who was at the relevant time working as 'Sweeper' in a School, is that vide impugned order dated 12.08.1997 (Annexure P-3), the Principal has directed him to work as 'Chowkidar' since he remains free after the close of the school hours.

2. Reliance has been placed on a judgment dated 17.12.1992 rendered by a Division Bench of this Court in CWP No.15045 of 1991 titled as '*Som Nath Vs. State of Haryana and others*' (Annexure P-5).

3. Having heard rival contentions and on perusal of the pleadings, it appears that petitioner has had a chequered service record, as is borne out from the return to which no additional affidavit and/or replication has been filed. It is stated therein that being Head of the Institution i.e. The Principal of the school due to the necessity arisen out of the administrative needs had asked the petitioner to also work as 'Chowkidar' after finishing his duties as 'Sweeper' during the school hours since he remains free during the evening hours. Further it seems that petitioner did not work diligently all throughout, resulting in extension to his probation period always. Regardless, it seems that he was dealt

with rather leniently. Even after his confirmation in the service, as is borne out from pleadings and record, his conduct was unbecoming of a government employee, specific details of which have been given in return which remain uncontroverted. Be that as it may, what is to be seen herein whether petitioner is entitled to additional allowances. In this aspect, specific assertion has been made in the return that due to additional work of ‘Chowkidar’ petitioner was given additional allowance.

- 4. In the aforesaid premise, no grounds are made out to interfere.
- 5. Dismissed.

(ARUN MONGA)
JUDGE

May 09, 2022

vandana

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No