

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

CWP-9307-2019

Date of decision: 08.12.2022

SURENDER DALAL

...Petitioner

VS

STATE OF HARYANA AND OTHERS

...Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present: Ms. Anjali Sheoran, Advocate
For the petitioner.

Mr. R.K.S.Brar, Additional A.G., Haryana.

ARUN MONGA, J. (ORAL)

Petition herein, *inter alia*, is for issuance of a writ in the nature of mandamus directing the respondent department to release the pending salary and arrears of the petitioner. Further prayer has been made to direct the respondents to allow the petitioner to work on the vacant post of Sub Divisional Engineer at Sub Division Kalayat, Kaithal Division No.2, Kaithal.

Learned State counsel, at the outset, submits that proceedings before this Court are rendered infructuous in view of para Nos.2 and 3 of the short reply filed on behalf of respondents No.1 to 4. For ready reference, para Nos. 2 and 3 of the reply are reproduced herein below:-

“2. That the answering respondent has released the salary to the petitioner for the month of March 2019 to May 2019 as claimed by the petitioner in the petition and all statutory benefits also released to the petitioner. Nothing is due against answering respondents. The copy of salary bills paid attached as Annexure/D/1 attached herewith for kind perusal.

3. That the petitioner has been posted at Public Health Engineering Sub Division, Kalayat under Public Health Engineering Division No.2 Kaithal against vacant post as

claimed by the petitioner in his petition. The copy of order is attached as Annexure D/2.”

In view of the aforesaid, nothing survives for adjudication. Petition is rendered as infructuous. However, liberty is given to the petitioner to file appropriate application in case the needful has actually not been done which seems to be the apprehension of the learned counsel for the petitioner for lack of instructions.

Disposed of accordingly.

(ARUN MONGA)
JUDGE

December 08, 2022

Vandana

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No