

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

CWP No.15140 OF 2022

DATE OF DECISION : 18.07.2022

Arun Kumar

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM : HON'BLE MR. JUSTICE ARUN MONGA

Present : Mr. Sardavnder Goyal, Advocate,
For the petitioner.

Ms. Harsh Rekha Kapoor, AAG, Haryana.

ARUN MONGA, J. (ORAL)

Petitioner herein, inter alia, seeks issuance of a writ in the nature of mandamus directing the respondents to release the salary/arrears since February, 2021 along with interest @ 12% per annum against the post of Tubewell Operator. Further prayer has been made not to replace the petitioner with another contractual employee.

2. Petitioner was appointed as Tubewell/Pump operator and he joined as such on 04.11.2019 and is continuously performing his duties. He has not been paid the salary since February, 2021.

3. Qua his aforesaid grievance, petitioner served legal notice (Annexure P-4) but the same has not been adverted till date. Hence, the petition.

4. On advance service of copy of the petition, learned State counsel appears and opposes issuance of notice of motion. He further submits that the instant writ petition is not maintainable as the petitioner on the same cause has simultaneously filed a complaint before the BDPO which is still pending on the administrative side.

5. I have heard rival contentions of learned counsels for the parties.

6. The petition has been filed prematurely as the departmental action has still not attained finality. In the premise, the instant writ petition is disposed of with an expectation that the contemplated departmental action shall be taken as expeditiously as possible.

7. Disposed of.

JULY 18, 2022

Shalini

(ARUN MONGA)

JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No