

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-18445-2022

Date of Decision: 31.08.2022

Manoj Kumar Yadav

.....Petitioner

Versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present: Mr. Jai Singh Yadav, Advocate
for the petitioner.

Mr. Pankaj Middha, Addl.A.G., Haryana.

ARUN MONGA, J. (ORAL)

Petition herein, *inter alia*, is for issuance of a writ in the nature of Certiorari for quashing order dated 17.05.2021 (Annexure P-3) whereby 2/3rd salary of the petitioner was ordered to be deducted starting from April, 2021 till further orders.

2. Petitioner is serving in Agriculture and Farmers Welfare Department, Haryana as Technical Assistant. On the complaint of petitioner's wife i.e. respondent No.4 an FIR under Sections 323/325 IPC had been registered against him. Though he was acquitted from the above said charges, another FIR was registered against him under Sections 498A/323/506/34 IPC on the complaint of petitioner's wife. She had also filed a complaint under Section 12 of the Protection of

Women from Domestic Violence Act, 2005 and also a petition under Section 125 Cr.P.C. for grant of maintenance. The trial Court has fixed the maintenance amount to Rs.16,000/- per month which order has been challenged by the petitioner before this Court. However, the Executing Court has directed respondent No.2 to deduct the maintenance amount from the salary of the petitioner. Resultantly, the official respondent vide impugned order dated 17.05.2021 (Annexure P-3) directed to deduct 2/3rd salary of the petitioner for credit to the account of his wife.

3. I have gone through the record. In my opinion, the impugned decision has been taken only after getting directions in judicial order and against that judicial order the petitioner has already availed his remedy and the matter is still pending adjudication. Therefore, I find no ground to interfere.

4. Petition is dismissed.

(ARUN MONGA)
JUDGE

August 31, 2022
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Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No