

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

CWP No. 29436 of 2022

DATE OF DECISION : 20.12.2022

Chandro

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM : HON'BLE MR. JUSTICE ARUN MONGA

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

Mr. Pankaj Middha, Addl. AG, Haryana.

ARUN MONGA, J. (ORAL)

Petition herein, *inter alia*, is for issuance of a writ in the nature of mandamus to release the salary of petitioner along with all consequential benefits as that of a regular employee.

2. Pledged case of the petitioner is that he was appointed as Mali-cum-Beldar (Group-D) as daily wager. State of Haryana issued instructions dated 01.10.2003 for regularisation of services of its employees who had completed three years of service. Services of petitioner were regularized vide order dated 02.01.2015. Respondent No.3 illegally retired the petitioner on 30.09.2021 at the age of 58 years, whereas, as per Haryana Civil Service Rules, age for superannuation of Group D employees is 60 years. Aggrieved, petitioner approached this Court by way of filing CWP No. 18473 of 2022 and vide order dated 23.8.2022 (Annexure P-5), petitioner was allowed to join the department.

Pursuant to same, petitioner joined his services, but he has not been paid the salary. Hence, the instant writ petition.

3. On advance service of copy of the petition, learned State counsel appears and opposes the petition.

4. Heard.

5. Given the nature of order being passed, there is no necessity to seek return by any of the respondents as no further proceedings and/or pleadings are required.

6. Writ petition is disposed of with the a direction to the respondents to verify the claim of petitioner *qua* non-payment of four months' salary and only if it is so found that she had actually rendered work for the corresponding period, her salary shall be disbursed within a period of two months from today. Even otherwise, needless to say that no salary is payable for no work period, on the principle of 'no work no pay'.

7. Disposed of.

DECEMBER 20, 2022
Shalini

(ARUN MONGA)
JUDGE

Whether speaking/reasoned :	Yes/No
Whether reportable :	Yes/No