

**IN THE HIGH COURT OF PUNJAB AND HARYANAAT  
CHANDIGARH**

**113**

**CWP-1817-2023 (O&M)**

**Date of Decision: 31.01.2023**

MANOJ KUMAR

... Petitioner

Versus

STATE OF HARYANA AND OTHERS

... Respondents

**CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL**

Present: Ms. Prabhjot K. Virk, Advocate  
for the petitioner.

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**HARNARESH SINGH GILL, J.(Oral)**

Prayer in this petition is for issuance of a writ in the nature of Certiorari for quashing the order dated 24.03.2022 (Annexure P-8), vide which the services of the petitioner were dispensed with and remuneration from 07.02.2020 onwards, is treated as invalid.

Learned counsel for the petitioner submits that the petitioner was appointed as Lab Attendant on work order basis on fixed monthly remuneration @Rs.9,000/- at Government Senior Secondary School, Bharokhan, Sirsa; that the petitioner worked there as such from 01.07.2019 to 30.06.2022; that the petitioner was on casual leave w.e.f. 07.02.2020 till 19.02.2020 and could not join back the duties due to unavoidable circumstances; that an inquiry was conducted against the petitioner through respondent No.5 and Principal, Government Senior Secondary School, Kanwarpura and that vide report dated 24.03.2021, it was recommended by the inquiry officers that one more chance be given to the petitioner and his salary be released from 24.08.2020 onwards.

Learned counsel for the petitioner further submits that till date pay of the petitioner has not been released by the Department concerned on the ground that the Principal, GSSS, Bharokhan (2818) District Sirsa, allowed the petitioner to join the duties (on 24.08.2020 as Lab Attendant) at his own level, without the approval of the competent authority and his joining cannot be treated as valid. She further submits that, though the Principal has allowed the petitioner to work at his own level, yet the fact remains that the petitioner had worked in the School from 24.08.2020 to 24.03.2022 and thus, is entitled for remuneration for the said period.

Notice of motion.

On the asking of this Court, Mr. RS Budhwar, Additional AG Haryana, accepts notice on behalf of the respondents. He does not dispute the aforesaid factual position.

I have heard the learned counsel for the parties.

As noticed above, the petitioner had worked for the School as Lab Attendant w.e.f. 24.08.2020 and 24.03.2022, though without approval of the competent authority. But the remuneration for the said period has been denied. Even as per report of the Inquiry Officers dated 24.03.2021, it was recommended that one more chance be given to the petitioner and his salary be released from 24.08.2020 onwards.

On a specific query put to the learned counsel for the petitioner, as to whether the petitioner has moved any representation for redressal of his grievance, she replied in negative.

In view of the above, the petitioner is hereby directed to file a representation before respondent No.2 for redressal of his grievance, within 15 days from the receipt of the certified copy of this order. On his doing so, respondent No.2-Director, Secondary Education, Directorate of School Education, is directed to decide the same as per law, within eight weeks thereafter.

Disposed of in the above terms.

31.01.2023

Aman Jain

(HARNARESH SINGH GILL)  
JUDGE

|                                  |   |               |
|----------------------------------|---|---------------|
| <i>Whether speaking/reasoned</i> | : | <i>Yes/No</i> |
| <i>Whether reportable</i>        | : | <i>Yes/No</i> |