

**2023:PHHC:062855**

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

**CWP-2461-2019**

**Date of decision: 01.05.2023**

Jaspal Singh

...Petitioner

Versus

State of Haryana and others

.....Respondents

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

Present:- Mr. Rakesh Bakshi, Advocate and  
Mr. Piyush Sharma, Advocate,  
for the petitioner.

Mr. Rohit Arya, DAG, Haryana.

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

1. The present petition has been filed for issuance of directions to respondents No.1 to 5 to release the salary of the petitioner w.e.f. 07.09.2018 i.e. the date of joining the duties after availing the leave.

2. Today, learned State counsel has produced a copy of order dated 28.10.2022 passed by the Additional Chief Secretary to Govt. Haryana, School Education Department, Haryana, which is taken on record. A copy thereof has also been handed over to the learned counsel for the petitioner.

3. Learned State counsel submits that as per the aforesaid order dated 28.10.2022, the period w.e.f. 07.09.2018 to 16.11.2018 has been treated as extra-ordinary leave in view of Rule 40(2) (a) of the Haryana Civil Services (Leave) Rules, 2016. He, on instructions from Mr. Pankaj Kumar, Assistant, Office of respondent No.2, and Mr. Manoj, Office of the respondent No.3, submits that salary w.e.f. 07.09.2018 to 16.11.2018, would be released in favour of the petitioner.

4. I have heard the learned counsel for the parties.

5. The petitioner was granted permission to go abroad w.e.f. 01.06.2018 to 28.06.2018. However owing to ill-health of his wife, he had to over stay there w.e.f. 29.06.2018 to 06.09.2018, and that after having come back to India, he moved an application allowing him to join the duties on 07.09.2018. However, the Principal, G.S.S.S. Bari Bassi, Ambala, had written a letter to the Block Education Officer, Shahjadpur, to seek instructions qua joining the petitioner and ultimately, his salary had not been released from the date of his joining i.e. 07.09.2018.

6. A perusal of the aforesaid order dated 28.10.2022 would show that the period w.e.f. 07.09.2018 to 16.11.2018 has been treated as extraordinary leave in view of Rule 40(2) (a) of the Haryana Civil Services (Leave) Rules, 2016. Moreover as submitted by the learned State counsel, on instructions from the aforesaid officials, salary w.e.f. 07.09.2018 to 16.11.2018 would be released in favour of the petitioner.

7. In view of the above, no further orders are called for.

8. Disposed of.

**01.05.2023**

parveen kumar

**(HARNARESH SINGH GILL)**  
**JUDGE**

Whether reasoned/speaking?

Yes/No

Whether reportable?

Yes/No