

CWP-9981-2021

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

CWP-9981-2021

Date of decision: 14.02.2023

ReenaDevi

...Petitioner

Versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Naveen Daryal, Advocate,
for the petitioner.

Mr. Amit Aggarwal, DAG, Haryana.

HARNARESH SINGH GILL, J. (ORAL)

The present petition has been filed for issuance of directions to the respondents to release the arrears of honorarium/salary w.e.f. 01.01.2012 to 01.04.2021.

Learned counsel for the petitioner contends that on 01.01.2012, the petitioner was appointed as a Sweeper in the govt. school, on temporary basis at the fixed honorarium of Rs.1,000/- per month; that the petitioner had continuously worked till 01.04.2021 without any interruption, and that the petitioner had also sent legal notice (Annexure P-6) to the authorities for redressal of her grievance, which has not been replied so far. In support of his contentions, learned counsel relies upon the judgment dated 15.05.2017 passed by a Coordinate Bench in CWP-17946-2015, vide which the authorities had been directed to pay wages at the minimum of the regular pay scale available to regularly appointed

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employees of the same category as determined in Minimum Wages Act, 1949, since the date of their appointment or a period of 38 months prior to the filing of the writ petitions whichever was later.

To substantiate the fact that the petitioner had been working as a Sweeper in the school since 2012, learned counsel for the petitioner also relies upon the certificate (Annexure P-3) issued by the Sarpanch, village Barsalu, Tehsil Nilokheri, District Karnal. Learned counsel for the petitioner further submits that the petitioner had also submitted a representation dated 24.06.2020 (Annexure P-4) to the Chief Minister, Haryana, seeking remuneration/honorarium.

On the other hand, learned State counsel, while rebutting the arguments of the learned counsel for the petitioner, submits that there is no record qua the posting of the petitioner in the Govt. Primary School Barsalu, Karnal; that as per the record, the petitioner had not been working on the post of part-time sweeper at the Govt. Primary School, Barsalu, w.e.f. 01.01.2012 to 01.04.2021, and that prior to the said period, Smt. Dev Kaur had worked in the school as a part-time sweeper w.e.f. 20.03.1991 to 30.05.2012.

I have heard the learned counsel for the parties.

The resolution dated 30.11.2016 passed by the President, School Management Committee, G.P.S.Barsalu, does not indicate qua the working/posting of the petitioner in the school at the fixed honorarium of Rs.1,000/- per month, w.e.f. 01.01.2012 to 01.04.2021. The petitioner has failed to produce any document or proof qua her posting in the govt. school by the competent authority.

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In view of the above, this Court does not find any merit in the present petition.

Dismissed.

The respondents, in compliance of the order dated 28.10.2021 passed by the Coordinate Bench, are directed to make the payment of Rs.5000/- to the petitioner, within a period of 15 days from today.

14.02.2023

parveen kumar

(HARNARESH SINGH GILL)
JUDGE

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No