

CWP No. 15967 of 2018

2023:PHHC:129553

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(105)

CWP No. 15967 of 2018

Date of Decision : 06.10.2023

Rameshwar

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Chanderhas Yadav, Advocate for the petitioner.

Mr. Pankaj Middha, Additional Advocate General, Haryana.

Harsimran Singh Sethi J. (Oral)

Learned counsel for the petitioner submits that he has instructions not to press the present petition any further. Learned counsel for the petitioner further submits that keeping in view the interim order passed by a Co-ordinate Bench of this Court dated 07.08.2018, the petitioner is still performing the duties hence, the petitioner be protected qua the salary, which he has already received while working keeping in view the interim order dated 07.08.2018.

Learned counsel for the respondents, on the other hand, submits that once the petitioner is not pressing the petition, any benefit got under the orders of the Court is liable to be refunded.

Keeping in view the fact that the petitioner had discharged the duties under the interim order of the Court and the petitioner was paid

salary for discharging the duties, no recovery of the amount for the period which the petitioner had discharged the duties with the respondents, be recovered but it is made clear that no benefit of the period in question i.e. date of retirement upto 30.09.2023 will be given in any manner qua the other benefits in case the petitioner claims.

No benefit for working upto 30.09.2023 will be claimed by the petitioner.

It is made clear that this Court is not making any observation qua the merits of the claim as the writ petition has been disposed of having been not pressed by the learned counsel for the petitioner.

October 06, 2023
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No