



CWP-11297-1997

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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

207

CWP-11297-1997 (O&M)
Date of decision: 11.09.2024

ANJU BALA

...PETITIONER

Vs.

THE CHANDIGARH HOUSING BOARD AND OTHERS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: Mr. Nitin Verma, Advocate
for the petitioner.

Mr. Indresh Goel, Senior Panel Counsel
for respondent Nos. 1 to 4.

JAGMOHAN BANSAL, J (ORAL)

1. On 21.08.2024, the following order was passed:

“On 20.03.2024, following order has been passed by this Court:

*Present: Mr. Nitin Verma, Advocate
for the petitioner(s).
None for the respondent(s).*

1. At the outset, Mr. Nitin Verma, Advocate, puts in appearance on behalf of petitioner and files his Power of Attorney, in Court today, which is taken on record, subject to all just exceptions. Office to tag the same at appropriate place.

2. Counsel for the petitioner submits that first claim of the petitioner regarding regularization of her services does not survive, because, during the pendency of the present petition, services of the petitioner were regularized by the respondent(s)-Chandigarh Housing Board, and on attaining the age of superannuation, she has already retired from the service. However, second claim of the



petitioner i.e. salary for the period of total 50 days, still exists. Although, for the said period, her name was not entered by the officials in the muster roll, but to prove the factum that she worked for the said period, she has certain documents in her possession, which can be placed on record, in case, one opportunity is granted.

3. *This Court has perused the paragraph Nos. 6, 7 and 8 of the written statement filed by the respondent(s) Chandigarh Housing Board, wherein, qua salary of the petitioner for the relevant period, it has been pleaded that the petitioner was working in the office of the respondent on daily wages, and in the month of July and August, 1990, no work was taken from her. Therefore, claim of the petitioner for claiming wages for the said period has been denied.*

4. *Adjourned to 26.04.2024.*

5. *Counsel for the petitioner may place on record the documents, if any, to prove the factum of her working in the month of July and August, 1990, in the office of the respondent(s) - Chandigarh Housing Board.*

Besides, it is expected that the requisite application and documents, would be supplied to the counsel representing the respondent- Chandigarh Housing Board, in advance.”

*Petitioner placed on record the document i.e. Annexure P-6, which is a copy of a letter bearing memo No.5353 dated 25.11.1998, which has been written from the office of the respondents No. 1 to 4 addressing to Sh. Deepak Suri, Advocate stating therein that as per record “ **no doubt revealed that her handwriting/signature appeared on diary and despatch register only for 35 days during the period July 90 and August 90 against 50 number of days claimed by the petitioner.***

The matter was referred to SLO for advice on the issue and it has been decided to allow 50 days salary for Rs.2115/- to the petitioner on the basis of position clarified above which is



being paid accordingly alongwith arrear of DA revision amounting to Rs.77/-”

Learned counsel representing the respondent is unable to satisfy the Court as to why the said amount has not been paid to the petitioner till date. However, he seeks time to enquire the facts and then to make statement before the Court regarding the current position of payment, as claimed by the petitioner.

Needless to say that, in case the claimed wages has not been paid till day, respondents may be held liable to pay heavy cost to the petitioner.

Adjourned to 11.09.2024.”

2. The respondents are liable to pay a sum of Rs. 2,192/- to the petitioner. In the impugned order, there was no order to pay interest. The petitioner has already been paid the aforesaid amount, thus, the petition has rendered infructuous.
3. Disposed of as having been rendered infructuous.
4. Pending miscellaneous application(s), if any, shall also stand disposed of.

11.09.2024
manoj

[JAGMOHAN BANSAL]
JUDGE

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