

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

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CWP No.11527 of 2020 (O & M)

Date of Decision : 7.3.2024

*Arun Kumar**..... Petitioner**versus**State of Haryana and others**..... Respondents***CORAM: HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA**

Present: Mr. Atul Siwach, Advocate, for
Mr. Sajjan Singh, Advocate, for the petitioner
Mr. Suneel Ranga, DAG, Haryana
Mr. Akshay Bansal, Advocate, for respondents no.2 to 5

TRIBHUVAN DAHIYA J. (ORAL):

The petition has been filed, *inter alia*, seeking a writ of *certiorari* quashing the letter dated 18.3.2020, Annexure P-11, vide which the petitioner's resignation has been accepted w.e.f. 17.2.2020, and for quashing the communication dated 9.5.2020, Annexure P-16, whereby he has been asked to deposit salary for fourteen days, i.e., 18.3.2020 to 31.3.2020. Further, a direction has been sought to the respondents to continue his services and grant full pay scale as admissible to Associate Professor.

2. However, notice of the petition was issued limited to the extent, regarding (i) payment of petitioner's salary for the period he took online classes, and (ii) for issuing experience certificate for the period he worked as Associate Professor in the University.

3. Learned counsel for the University contends that both the reliefs

have been given to the petitioner. Due amount of salary has been credited to his account on 4.12.2020, which is apparent from the statement of Bank account, Annexure R-1. Experience certificate for the period he worked in the University has also been issued, dated 24.11.2020, Annexure R-2. He further contends that costs imposed upon the University by this Court vide order dated 4.12.2020, on account of not making payment of salary despite the interim order, dated 24.11.2020, need to be waived of, as the order was duly complied with. Slight delay in crediting the salary was due to non-availability of the competent authority to sign the papers which was *bona fide*.

4. The aforesaid facts have not been disputed by learned counsel for the petitioner. It is, therefore, apparent that there was *bona fide* unintentional delay of a few days in crediting salary to the petitioner's account. And the order already stood complied with on 4.12.2020, when the costs were imposed, which could not be brought to the Court's notice. Accordingly, the costs are waived of.

5. Since the claimed relief has already been given to the petitioner, nothing survives for adjudication and the petition stands disposed of, accordingly.

5. Pending miscellaneous application(s), if any, stands disposed of accordingly.

(TRIBHUVAN DAHIYA)
JUDGE

7.3.2024
Ashwani

Whether speaking/reasoned:
Whether reportable:

Yes/No
Yes/No