

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

2024:PHHC:155571



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**CWP-14743-2021 (O&M).
Date of Decision: 25.11.2024.**

NARESH KUMAR DAROLIYA

..Petitioner

VERSUS

UNION OF INDIA AND OTHERS

.. Respondents

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

PRESENT Mr. Kartik Patial, Advocate,
for the petitioner.

Mr. Sunil Kumar Sharma, Senior Panel Counsel
for respondents No.1 and 3.

Mr. Anil Chawla, Senior Panel Counsel,
for respondent No.2.

VINOD S. BHARDWAJ, J. (ORAL)

The petitioner claims to be a practising Advocate in District and Subordinate Courts, Sirsa, and has sought issuance of directions to the respondents to make payment on account of outstanding fee bills along with interest @ 18% per annum from the due date till the actual payment.

Learned counsel appearing for the petitioner submits that the retainer fee during which the petitioner remained as retainer for the Union of India in the District and Subordinate Courts of Sirsa has not been paid.

Learned counsel appearing for respondents contend that all other bills have already been paid and now the grievance subsists with respect to the retainer fee for the period of one year i.e. 2008-2009 out of the total period of five years during which the petitioner remained as retainer. They contend that

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there is no record available with the respondents-Union of India for non-payment of retainer fee of Rs.25,000/-.

Taking into consideration the stakes involved, I am not inclined to proceed further in the matter to examine this aspect. The present petition is accordingly disposed of with liberty to the petitioner to approach respondent No.2-Defence Estate Officer, Bathinda Circle, along with relevant entries in his account and affidavit/undertaking to the effect that he has not received the retainer fee for the period 2008-2009. In the event of petitioner submitting such an application along with details of the relevant period and the undertaking before the respondent No.2, the same shall be forwarded to the competent authority i.e. respondent No.1 and an appropriate decision thereupon shall be taken within a period of 04 months of submission of such request.

Needless to mention here that in the event of non-transfer of retainer fee of Rs.25,000/- to the petitioner for the period of 2008-2009 from the conciliation of the record of the competent authority of the respondent, the due amount shall be paid within a period of two months thereafter. In case the needful is not done, the respondents shall be liable to pay a cost of Rs.25,000/- over and above the admissible dues, to be recovered from the official/officer responsible for the same, which shall be deposited with the District Legal Services Authority, Sirsa.

November 25, 2024.
raj arora

(VINOD S. BHARDWAJ)
JUDGE

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