

**IN THE HIGH COURT OF PUNJAB & HARYANA, CHANDIGARH**

Sr. No.: 110

Civil Writ Petition No.20501 of 2024**Date of Decision: September 26, 2024**Sumer Singh

..... PETITIONER(S)

*VERSUS*State of Haryana & others

..... RESPONDENT(S)

CORAM: HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA**PRESENT:** - Mr. V.S. Rathee, Advocate, for the petitioner.

Ms. Tanushree Gupta, Deputy Advocate General, Haryana.

Tribhuvan Dahiya, J (Oral)

The petition has been filed, *inter alia*, seeking a writ of *certiorari*, quashing the order, dated 15.05.2024, Annexure P-13, passed by the second respondent, whereby the petitioner's claim for arrears of wages in terms of judgment, dated 20.02.2019, passed by the Division Bench in LPA No.1273 of 2018 has been declined.

2. Learned State counsel, on instructions received from the third respondent-District Elementary Education Officer, vide memo dated 17.09.2024, contends that the petitioner was appointed as Village Chowkidar on 15.05.2007. He was only given additional charge to look after the security of Edusat equipment installed in GPS Nirthan, Sonipat, and had been paid honorarium of ₹ 1,000 per month for the additional duty. The Division Bench order is with respect to those Chowkidars who have been held entitled to wages equivalent to that of Village/Revenue Chowkidars, and the petitioner is not entitled to the same.

3. The instructions are to the following effect:

3. That in compliance of above said orders it is submitted that on perusal of the relevant records and facts it has been found that the claimant was appointed as village Chowkidar and on 15.05.2007 he was given additional charge to look after the



security of Edusat equipment installed in GPS Nirthan, Sonipat. The said charge was in accordance with memo no. 1444-R-11-2007/4635 Chandigarh the dated 20.4.2007 issued by the Financial Commissioner and Principal Secretary to Govt. Haryana, Revenue and Disaster Management and on payment of honorarium of Rs. 1000/- p.m.

4. That the petitioner who is Village Chowkidar/Revenue Chowkidar cannot claim the amount of Rs. 1,43,824/- in terms of order dated 20.2.2019 passed in LPA No. 1273 of 2018 as the said orders were applicable on Edusat Chowkidars who were independently appointed on honorarium of Rs. 1000/- p.m and the arrears released in pursuance of orders passed in LPA No. 1273 of 2018 were in order to bring parity in wages of Edusat Chowkidar to that of Village/Revenue Chowkidar. Moreover, in addition to the wages received from Revenue Department by the petitioner, the honorarium of Rs. 1000/- per month has also been paid to him for doing additional duty from 15.5.2007 to 17.12.2017 of securing the Edusat equipments installed in GPS Nirthan, Sonipat.

4. Since the petitioner was appointed Revenue Chowkidar and had been paid honorarium for the additional duty/charge to look after the security of equipment, his claim for arrears in terms of the Division Bench judgment, dated 20.02.2019, is not maintainable.

5. In view thereof, there is no ground to entertain the petition.

6. Dismissed.

(Tribhuvan Dahiya)
Judge

September 26, 2024
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Whether Speaking/ Reasoned:
Whether Reportable:

Yes/ No
Yes/ No