



CWP-17869-2015

:1:

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

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**CWP-17869-2015 (O&M)  
Date of decision : 27.03.2025**

**SHIV RAJ SINGH (SINCE DECEASED) THROUGH LRS**

..... Petitioner

**VERSUS**

**REGISTRAR, CO-OPERATIVE SOCIETIES & ORS**

..... Respondents

**CORAM : HON'BLE MR. JUSTICE DEEPINDER SINGH NALWA**

**\*\*\***

Present :- Mr. Sahil Soi, Advocate  
for the petitioner.

Mr. T.P.S. Walia, Addl. AG, Punjab.

Mr. Anupam Bhardwaj, Advocate  
for respondent No.3.

**\*\*\***

**Deepinder Singh Nalwa, J. (Oral)**

1. In the present writ petition, the petitioner is praying for a direction to the respondents to pay the entire arrears of salary on account of working overtime to the petitioner since 1990.

2. Learned counsel for the petitioner submits that a perusal of Annexure P-2 would show that the petitioner was working overtime as such, the petitioner is entitled for grant of salary on account of working overtime.

3. Learned counsel for the respondents submits that as per the attendance register, the working hours of the petitioner were from 9:00 AM to 5:00 PM and the petitioner had not worked overtime. He also refers to an

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affidavit dated 13.07.2024 (Annexure A-1), which was filed on the basis of direction issued by this Court. The relevant extract of the said affidavit is reproduced as under:-

*“1. That there is only one post of Peon-cum-Chowkidar in the Society as per the Punjab State Cooperative Agricultural Service Societies Rules 1997 as amended upto date.*

*2. That the petitioner is working as Peon-cum-Chowkidar. His duty hours are 8 hours daily i.e. from 9 am to 5 pm. The attendance register with regard to duty ours of the petitioner as Peon- cum- Chowkdiar shall also be produced at the time of arguments.*

*3. That the petitioner was paid salary as per the grades applicable to the post of peon- cum- Chowkdiar as per the Punjab State Cooperative Agricultural Service Societies Rules 1997 as amended upto date. The last drawn salary of the petitioner was Rs. 35,100/- including all allowances till the time of his death.”*

4. In rebuttal, learned counsel for the petitioner disputes the attendance marked in the attendance register while submitting that the petitioner was working overtime.

5. I have heard learned counsel for the parties and have gone through the records of the case file.

6. The issue involved in the present case is whether the petitioner has worked overtime and is entitled for grant of salary on account of working overtime.

7. Taking into consideration the facts of the case, it would not be appropriate for this Court to entertain the present writ petition as there are



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disputed questions of facts involved.

8. In light of the facts mentioned above, this Court finds no merit in the writ petition and the same is dismissed.

9. However, the petitioner is at liberty to take recourse to other alternative remedies available to him under the law.

**(DEEPINDER SINGH NALWA)**  
**JUDGE**

**27.03.2025**

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Whether speaking/reasoned  
Whether Reportable :

Yes/No  
Yes/No