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

CWP-27999-2024**Date of Decision: 21.01.2025****PERMESHVER KUMAR**

..... Petitioner

*Versus***STATE OF HARYANA AND ORS**

..... Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present : Mr. Rohan Moudgil, Advocate with
Mr. Jaspreet Singh, Advocate and
Mr. Sandeep Sharma, Advocate
for the petitioner.

Ms. Rajni Gupta, Addl. AG, Haryana.

Mr. Arvind Seth, Advocate
for the respondents.

JAGMOHAN BANSAL, J. (Oral)

1. Short reply dated 20.01.2025 of Chander Mohan, General Manager (Finance), Haryana Kaushal Rozgar Nigam Ltd., Haryana Panchkula filed on behalf of respondent No.5 is taken on record. Registry is directed to tag the same at an appropriate place.

2. The petitioner through instant petition under Articles 226/227 of the Constitution of India is seeking direction to respondents to release the salary of petitioner from 15.03.2024 to till date.

3. The petitioner claims that he is working since March' 2024 and his monthly salary is Rs.28,240/-, however, respondent is not releasing his salary.

4. Mr. Rohan Moudgil, counsel for the petitioner submits that



there are evidence disclosing that petitioner had worked with respondent- Haryana Shehari Vikas Pradikaran (for short ‘HSVP’) from March’ 2024 onwards. He is entitled to salary.

5. Mr. Arvind Seth, Advocate for the respondents submits that as per their record, petitioner has never worked on or after 15.03.2024, thus, he is not entitled to salary.

6. This Court cannot determine whether petitioner has actually worked or not because it is a matter of appreciation of evidence. While exercising power under Articles 226 of the Constitution of India, this Court cannot examine evidence led by both sides and thereafter come to a final conclusion. Nevertheless, nobody can be deprived of his valuable right of salary, if he had actually worked.

7. To maintain the balance and protect interest of both sides, this Court finds it appropriate to direct Administrator, HSVP-Gurugram (Zone) to examine the evidence led by petitioner and if he comes to a conclusion that petitioner had actually worked, may be for few days, release his salary. The petitioner shall appear before aforesaid Authority on 28.01.2025 at 11:00 A.M.

8. Disposed of.

(JAGMOHAN BANSAL)
JUDGE

21.01.2025
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Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No