



CWP-1246-2020 (O&M)

-1-

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

CWP-1246-2020 (O&M)
Date of Decision : **22.05.2026**

MAJOR SINGH

.....Petitioner

VERSUS

STATE OF PUNJAB AND OTHERS

.....Respondents

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. Ajay Kumar Chaudhary, Advocate, for
Mr. Harvinder Sharma, Advocate,
for the petitioner.

Mr. Sahil R. Bakshi, AAG, Punjab.

Mr. Sumit Gupta, Advocate,
for applicant/respondent no.4.

KULDEEP TIWARI, J.(Oral)

CM-8646-CWP-2026

Application is allowed, as prayed for, subject to all just exception, and the documents pertaining to Charge Sheet, is taken on record as R-4/6.

CWP-1246-2020

1. Through the instant petition, cast under Article 226 of the Constitution of India, a prayer is made for issuance of a direction upon the respondents to pay the petitioner interest @ 9% per annum on account of delay in fixing his pay in the month of January/February, 2019, despite the fact that he had been working on the post of Superintendent Grade-II,



CWP-1246-2020 (O&M)

-2-

since 14.03.2014 after his repatriation to the parent department, i.e. Department of Water Resources (erstwhile Irrigation Department), vide order dated 28.02.2014 (Annexure P-2).

2. In the instant matter, the petitioner was posted at the disposal of the BBMB, as Superintendent Grade-II, against a vacant post, falling within the Punjab share quota, at his own request, with a direction to adjust him at BBMB, Nangal.

3. The petitioner was only allowed to join on 21.01.2013, at BBMB, Sunder Nagar, and thereafter, the parent department of the petitioner recalled the transfer order on 28.02.2014. In compliance to the said order, the petitioner joined the office of respondent no.3, against the vacant post, who according to him became his controlling officer, and despite due intimation having been sent in the month of March, 2014, itself, respondent no.3, did not provide the service book, personal file, account of casual leave, and Last Pay Drawn Certificate (LPC), to the parent department of the petitioner, which caused delay in fixing his pay etc.

4. Aggrieved with the above, the petitioner approached this Court by filing writ petition bearing No. CWP-5785-2015, which was allowed, vide order dated 09.08.2018, with a direction upon the respondent concerned to send all the record pertaining to the petitioner to his parent department, within a period of three months from the date of receipt of a certified copy of the said order. However, liberty was extended to the BBMB, to take disciplinary action against the petitioner,



CWP-1246-2020 (O&M)

-3-

if so desired, through the State, with regard to the issue of leaving the BBMB, without obtaining a relieving letter therefrom.

5. The petitioner has once again approached this Court by way of the present petition seeking direction upon the respondents, for grant of interest on account of delay in fixing his pay.

6. This Court has put a specific query to learned counsel for the petitioner that once the petitioner on an earlier occasion had approached this Court by way of CWP-5785-2015, inasmuch as, the cause of action regarding interest on account of delay in fixing his pay, was very much in existence even at that time, then why such relief was not sought in the said petition, specifically, when the same was decided in 2018, to which, learned counsel for the petitioner is unable to satisfy this Court.

7. In view of the above, this Court finds that the present second writ petition is hit by the principle of *constructive res judicata* and, therefore, the same is not maintainable and is hereby **dismissed**.

8. All pending application(s), if any, also stand **disposed** of accordingly.

May 22, 2026
dharamvir

(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned.	:	Yes/No
Whether Reportable.	:	Yes/No