



**CM-2298-LPA-2026 in/and
LPA-922-2026**

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

**(113) CM-2298-LPA-2026 in/and
LPA-922-2026
Date of Decision : April 06, 2026**

Subhash Chand Saini .. Appellant

Versus

State of Haryana and others .. Respondents

**CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI
HON'BLE MR. JUSTICE DEEPAK MANCHANDA**

Present: Mr. Robin Dutta, Advocate, for the appellant.

Ms. Anu Pal, Addl. Advocate General, Haryana.

HARSIMRAN SINGH SETHI J. (ORAL)

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Present application has been filed seeking condonation of delay of 12 days in filing the appeal.

Keeping in view the averments made in the application, which are duly supported by an affidavit, the application is allowed. Delay of 12 days in filing the appeal is condoned.

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1. In the present Letters Patent Appeal, the challenge is to the order dated 10.02.2026 passed by the learned Single Judge in CWP No.36990 of 2025 by which, the writ petition filed by the petitioner claiming the release of amount of Rs. 16 lacs which was paid to the labour from his own pocket and that too by taking loan, qua the execution of the work of construction of Water Harvesting Structure, Silt Detention Dam, in Block Shehzadpur has been dismissed.

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2. Learned counsel appearing on behalf of the appellant argues that the learned Single Judge failed to appreciate that the work at the dam was done but no payment was made to the labour employed which led to the making of the payment by the appellant from his own pocket and that too after taking loan from the friends.

3. Learned counsel for the appellant submits that once a payment has been made by the appellant to the labour employed in the project, he was entitled for the reimbursement, which aspect has been ignored by the learned Single Judge while dismissing the writ petition.

4. Learned State counsel vehemently opposes the contentions of the learned counsel for the appellant.

5. We have heard learned counsel for the parties and have gone through the record with their able assistance.

6. It may be noticed that the petitioner was an employee of the Department of Forest, Government of Haryana. The work, in respect of which, the claim is being raised, was executed by the Government of Haryana and not by the appellant in his personal capacity.

7. Further, nothing has come on record to show that any authority was given to the appellant to get the Government work executed at his own level from his own resources including financial resources.

8. On being asked as to how, a payment was made by the appellant from his own pocket by taking loan, when the said work was alleged to have been executed by the Government of Haryana, no answer has come forward.

9. Further, the finding has been recorded by the learned Single

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Judge that no material has been placed on record as to how the said work was got executed and who executed the actual work and to whom the payment was made by the appellant. In the absence of any such record, the view taken by the learned Single Judge that the present petition involves the disputed question of facts, is perfectly valid and legal.

10. Further, such execution is alleged to have been done by the appellant while in service. The appellant retired from service in the year 2017. The writ petition was filed in the year 2025. How can a person who has spent Rs.16 lacs from his own pocket immediately prior to the retirement will wait for a period of eight years to claim the said amount.

11. To counter this, learned counsel for the appellant contends that he had filed various representations raising the claim of the amount concerned. However, it may be noticed that a person who has spent Rs. 16 lacs from his own pocket and that too on behalf of the Government, will not wait for a period of eight years to approach the competent Court of law in case such representations were not bearing any fruit.

12. Further, a money claim is being raised by the appellant. On being asked to point out the names of the person to whom the money was paid, learned counsel for the appellant has not been able to point out any single name, the date on which the payment was made as per the averment made in the petition.

13. Surprisingly, learned counsel for the appellant submits that the payments were made after the retirement of the appellant. Any Government employee, who has no source of means after the retirement except pension, is not expected to release Rs.16 lacs from his own pocket and that too in



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respect of the work which was got executed by the Government and that too by taking a loan from friends.

14. Keeping in view the totality of the circumstances, the order dated 10.02.2026 passed by the learned Single Judge needs no interference at the hands of this Court.

15. The plea raised by the appellant is surprising that he had made a payment on behalf of the Government from his own pocket and that too after retirement and that too to the persons whose description, date of payment and the specific amount paid is not existing. The appellant has approached with such plea initially before the learned Single Judge by filing an affidavit and now, before this Court, such claim needs to be dealt with very heavily so as to find out the truth hence, we direct the State Vigilance Department to enquire into the allegations of the appellant and in case, it is found that the allegations raised of making the payment have not been substantiated or is only to defraud the Government, the same should be taken to the logical end as per law.

16. Accordingly, the appeal is dismissed.

17. Compliance of this order be brought to the notice of this Court.

**(HARSIMRAN SINGH SETHI)
JUDGE**

April 06, 2026
harsha

**(DEEPAK MANCHANDA)
JUDGE**

Whether speaking/reasoned : Yes
Whether reportable : No