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

**CWP-21832-2011(O&M)
Date of decision : 19.02.2026**

Baldev Singh

...Petitioner

Versus

Guru Nanak Dev University, Amritsar and another

...Respondents

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

Present: Mr. Vivek Sharma, Advocate for the petitioner.

Ms. Isha Goyal, Advocate for the respondents.

DEEPINDER SINGH NALWA, J. (Oral)

CM-2655-CWP-2026

This application has been filed under Section 151 of the Code of Civil Procedure, 1908 on behalf of the applicants-respondents for placing on record relevant documents (Annexures R-11 to R-15).

In view of the reasons mentioned in the application, the same is allowed. Documents (Annexures R-11 to R-15) are taken on record subject to all just exceptions.

CWP No.21832 of 2011

In the present writ petition, the petitioner is praying for issuance of a writ in the nature of mandamus directing respondents to



grant salary for the period the petitioner has performed duty on the post of Professional Assistant i.e. from 24.08.2006 to 28.03.2013.

2. The brief facts of the case are that the petitioner was appointed as Peon (Sewadar) at Guru Nanak Dev University Regional Campus, Gurdaspur. Thereafter, the petitioner was promoted on the post of Restorer (Library) in the year 1997 and thereafter, he was appointed on the post of Professional Assistant vide order dated 16.05.2006 (Annexure P-1). Order dated 16.05.2006 (Annexure P-1), vide which the petitioner was promoted/appointed on the post of Professional Assistant was cancelled vide order dated 24.08.2006 (Annexure R-2). Aggrieved against the abovesaid order dated 24.08.2006 (Annexure R-2), the petitioner filed a suit before the trial Court, which was dismissed vide judgment and decree dated 22.10.2008 (Annexure P-4). Aggrieved against the judgment and decree dated 22.10.2008 (Annexure P-4) passed by the trial Court, the petitioner preferred the appeal before the learned Lower Appellate Court which was also dismissed vide judgment dated 12.05.2009 (Annexure P-5). Aggrieved against the judgment and decrees passed by the Courts below, the petitioner filed the regular second appeal bearing RSA No.3171 of 2009 before this Court, which was also dismissed vide order dated 09.09.2009 (Annexure P-2). Thereafter, the petitioner was again promoted on the post of Professional Assistant (Library) on 28.03.2013. The petitioner has filed the present writ petition claiming salary for the period from 24.08.2006 to 28.03.2013

on the ground that although the order of appointment on the post of



Professional Assistant was cancelled vide order dated 24.08.2006 (Annexure R-2), however, in terms of order dated 20.09.2006 (Annexure P-7), the petitioner was granted permission to work on the post of Professional Assistant. As the petitioner has worked on the post of Professional Assistant, as such, the petitioner is entitled for grant of salary for the abovesaid period i.e. from 24.08.2006 to 28.03.2013.

3. Learned counsel appearing on behalf of the respondents submits that although order dated 20.09.2006 (Annexure P-7) was issued, whereby the petitioner could continue to work in the Department on the post of Professional Assistant (Library) till the post of Professional Assistant (Library) was lying vacant, however, the petitioner did not perform the duty of the said post of Professional Assistant. It is a specific case of learned counsel for the respondents that the petitioner was working on the post of Restorer (Library), as such, he was granted salary of the post of Restorer (Library) as per his entitlement, taking into consideration his substantive post i.e. Restorer (Library). No document has been brought to the notice of the Court that petitioner was performing the duty of Professional Assistant.

4. I have heard learned counsel for the parties at length and perused the paper-book along with records.

5. The only issue involved in the present petition is whether the petitioner is entitled for salary from 24.08.2006 to 28.03.2013 on the ground that the petitioner has been performing duty on the post of Professional Assistant.



6. The issue as to whether the petitioner has performed the duty as Professional Assistant involves disputed question of facts which requires examination of evidence which cannot be adjudicated in a writ petition.
7. Taking into consideration the abovesaid facts, no relief can be granted to the petitioner. However, it is always open to the petitioner to approach appropriate forum for redressal of his grievance, in accordance with law.
8. Accordingly, the present writ petition is dismissed.
9. Pending application(s), if any, shall also stand(s) disposed of.

19.02.2026	(DEEPINDER SINGH NALWA)	
<i>d.gulati</i>	JUDGE	
Whether speaking / reasoned :	Yes	No
Whether Reportable :	Yes	No