



CWP-4267-2011

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

204

CWP-4267-2011 (O & M)
Date of decision: 29.01.2025

Kewal and Others

....Petitioners

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : None for the petitioner.

Mr. Satnam Preet Singh Chauhan, DAG, Punjab.

AMAN CHAUDHARY, J. (ORAL)

1. Prayer made in the present petition is for directing the respondents to release the salary of the petitioners alongwith interest w.e.f. 24.09.2008 to 11.02.2010.

2. Learned State counsel refers to paras 2 and 3 of the preliminary submissions, as also paras 5, 6 and 12 on merits of the affidavit dated 13.05.2023 filed by the Divisional Forest Officer, Rupnagar, to which neither there is any rebuttal by filing replication nor has it been substantiated by way of documents in the present petition of their entitlement to the claim, as has been prayed for, and the same read thus:

“2. That the petitioners have never worked as daily wage workers during the period from 25.09.2008 to 8.2.2010 for which they have filed the present writ



CWP-4267-2011

petition for the release of the salary along with arrears and interest. The respondent never refused to provide work to the petitioners rather the petitioners themselves had abandoned the work on the own and the respondent had not terminated the services of the petitioners.

3. That the petitioners submitted claim for the payment of arrears before the answering respondents for the period from 24.9.2008 to 9.2.2010 through Janglat Labour Union Distt. Ropar and the answering respondent No.3 replied to the petitioners through the President, Janglat Labour Union Distt. Ropar vide letter No. 885 dated 27.4.2010 (Annexure-R1/T) that Forest Range Officer, Ropar and Forest Range Officer, Nurpurbedi has reported that the petitioners related to COCP No. 303 of 2009, COCP 186 of 2009 and COCP 294 of 2010 never worked as daily wage worker during the said period. So the demand regarding release of back wages of the petitioners has been rejected.

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5. That the contents contained in para No. 5 of the civil writ petition are wrong, incorrect and hence denied. As per Punjab Govt. instructions dated 18.3.2011 regarding regularization of services of daily wage workers, the seniority list of daily wage workers has been prepared at State Level. Those daily wage workers who have completed ten years, minimum 240 days in List. The petitioners No.1 to 5 (except petitioner No.6) have not completed ten years, minimum 240 days in each year, upto December, 2006 as daily wage workers. So their names have not been entered in the State Level Seniority List. The name of petitioner No. 6 Agya Ram S/o Tilak Ram, Village and Post Office- Gardley, Tehsil & Distt. Rupnagar has been entered at Sr. No. 333 of State Level Seniority List and he has been regularized vide Divisional Forest Officer, Rupnagar office order No. 115 dated 8.11.2011.

6. That the contents contained in para No. 6 of the civil writ petition are wrong, incorrect and hence denied. The petitioners (except petitioner No.6) are working as daily wage workers.

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CWP-4267-2011

12. That the contents of para No. 12 of the civil writ petition are wrong, incorrect and hence denied. It is also submitted that the petitioners have never worked as daily wage workers during the period 25.9.2008 to 8.2.2010 as per letter No. 1Rpr dated 9.4.2010 of Forest Range Officer, Ropar. The copy of the letter is annexed as Annexure R-2/T. Forest Range Officer, Ropar also reported vide his office letter no. 29-R dated 7.5.2013 (AnnexureR-3/T), that petitioners are working as daily wage workers since 9.2.2010 till now and payment of wages to the petitioners is being given through cheques and petitioner No.6 has been regularized vide office order No. 115 dated 8.11.2011.”

3. Disposed of, leaving still the petitioners with a liberty to approach the respondents by substantiating their claim, if any, with requisite documents.

29.01.2025

parveen kumar

(AMAN CHAUDHARY)
JUDGE

Whether speaking/reasoned : Yes / No
Whether reportable : Yes / No