

IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA.

**COPC No. 648 of 2011
Decided on: 30.11.2012**

Minakshi, w/o Sh. Shiv Kumar, r/o Village Rabon, Tehsil & Distt. Shimla, Himachal Pradesh.

.....Petitioner

Versus

1. Sanjay Murthy (fathers name is not known to the petitioner) Secretary Education to the Government of Himachal Pradesh, Secretariat Shimla H.P.
2. Balbir Chaudhary (fathers name is not known to the petitioner) Deputy Director of Elementary Education Solan, Distt. Solan, Himachal Pradesh.
3. Jeet Ram Chaudhary, The Block Elementary Education Officer Kuthar, Distt. Solan, H.P.

.....Respondents

Coram

The Hon'ble Mr. Justice Kurian Joseph, Chief Justice.

The Hon'ble Mr. Justice Rajiv Sharma, Judge.

For the petitioner : Mr. S.C. Sharma, Advocate.

For the respondents : Mr. R.K. Bawa, A.G. with Mr. Ankush Dass Sood, Addl. A.G. & Mr. Anshul Bansal, Addl. A.G. for respondent No.2.

Ms. Archana Dutt, Advocate, for respondent No.3.

Justice Kurian Joseph (C.J.) oral

The surviving grievance of the petitioner is that salary for the months of July to November, 2011 has not been disbursed. Of the said period, the petitioner has actually worked in the school at Kaleen till 8.9.2011 and the remaining period, she was under the protection of the orders passed by this Court that she may not be compelled to join the transferred station. In order to give quietus to the whole dispute, the petitioner was directed to inform the Court as to what is the earned leave available to her credit. She has informed that she has around 100 days of earned leave. There will be a direction to the respondents to debit the earned leave

from her account w.e.f 9.9.2011 to 8.12.2011 and regularize the period of absence accordingly. She shall be treated to have been on duty till 8.9.2011 in the school at Kaleen and w.e.f. 9.9.2011 to 8.12.2011, she shall be treated on leave and that period will be debited from her earned leave account, as above. Necessary action, as above, shall be taken for regularization of the period and disbursement of the salary for the aforesaid period, within a month.

2. Subject to above and in view of the apology tendered in the Court through learned Additional Advocate General, the contempt petition is dismissed. Rule is discharged.

Copy dasti.

(Justice Kurian Joseph)
Chief Justice

November 30, 2012
(awasthi/pankaj)

(Justice Rajiv Sharma)
Judge