

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP no.1884 of 2012 (O&M)
Date of Decision :20.02.2015

Raj Pal Panwar

....Petitioners

Versus

Chandigarh Industrial & Tourism Development Corp. Ltd. And another
...Respondents

CORAM : HON'BLE MR.JUSTICE MAHESH GROVER

- 1)Whether reporters of local newspapers may be allowed to see the judgment?
- 2) To be referred to the Reporters or not?
- 3) Whether the judgment should be reported in the Digest?

Present : Mr.R.K.Malik, Sr. Advocate with
Mr. Tejpal Dhull, Advocate for the petitioner

Mr. Harsh Aggarwal, Advocate for the respondents

MAHESH GROVER, J.

The petitioner who is physically challenged was granted the benefit of promotion on a review being ordered in consonance with the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995. He was given notional benefits w.e.f 26.8.1991 to 21.7.2003 which is the date on which he was actually promoted as Senior Assistant.

The petitioner has a limited grievance against the order dated 4.1.2007 as he claims the benefit of pay and allowances admissible to a Senior Assistant for the period he had actually worked between 1991 to 21.7.2003.

The exact details of this period have been given in the petition and are extracted herebelow:-

“In the instant case the work of Senior Assistant was even take from the petitioner from February 1994 to 6.8.1996 and again taken the work of Senior Assistant from 11.11.1999 to 31.10.2000 and again taken the work of Senior Assistant from the petitioner from 1.11.2000 to 25.3.2003.”

This fact is not disputed by the respondents. If that be so then evidently petitioner would be entitled to get the pay and allowances of the Senior Assistant for the period that he discharged duties as such with the respondents - Corporation. In so far as remaining portion of the order granting notional benefits to the petitioner are concerned, the same cannot be faulted with as he did not actually work on the said post. Thus the petition is accepted in part to enable the petitioner to the benefits of the pay and allowances of a Senior Assistant for the undisputed period in which he had discharged the duties as a Senior Assistant with respondents-corporation but not beyond the said period.

Let arrears be released within a period of six months from the date of receipt of the certified copy of this order.

Disposed of.

February 20, 2015
rekha

(MAHESH GROVER)
JUDGE