

Sr. No.119

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

CWP No.29186 of 2017 (O&M)

Date of Decision:20.12.2017

Rajinder Kumar

... Petitioner

Versus

State of Punjab and another

... Respondents

CORAM:- HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present:- Mr. R.K.Arora, Advocate,
for the petitioner.

TEJINDER SINGH DHINDSA, J.(ORAL)

Counsel has adverted to the order dated 22.08.2011 (Annexure P-1) and in terms of which the present petitioner while holding the substantive post of Junior Assistant under the Department of Higher Education, State of Punjab was called upon to work on the higher post of Senior Assistant.

The precise claim raised in the petition is that in spite of having discharged the duties and responsibilities of the higher post of Senior Assistant w.e.f. 22.06.2011 and up to date, the pay and emoluments admissible to such higher post have not been released to the petitioner.

Counsel contends that as per settled law an employee who has been called upon to discharge the duties on a higher post be it on an ad hoc or officiating basis is entitled to the emoluments admissible to such higher post.

In the light of submissions advanced by counsel and without ascertaining the correctness of the averments made in the petition, I deem it appropriate to dispose of the writ petition with a direction to respondent No.2-the Director of Public Instructions (Colleges), Punjab to consider the claim of the petitioner and to take a final decision on the representation dated 27.06.2017 (Annexure P-16) expeditiously and in any case within a period of 03 months from the date of receipt of a certified copy of this order.

Disposed of.

20.12.2017

vandana

**(TEJINDER SINGH DHINDSA)
JUDGE**

Whether speaking/reasoned

Yes

Whether Reportable

No