

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

**LPA No. 1218 of 2018 (O&M)**

Date of Decision: 07.08.2018

Dakshin Haryana Bijli Vitran Nigam and another

.....Appellants

versus

Bhoop Singh

.....Respondent

**CORAM: HON'BLE MR.JUSTICE KRISHNA MURARI, CHIEF JUSTICE  
HON'BLE MR. JUSTICE ARUN PALLI, JUDGE**

**Present :** Mr. Puneet Jindal, Sr. Advocate with  
Mr. Raghav Kakkar, Advocate, for the appellant.

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**KRISHNA MURARI, CHIEF JUSTICE (oral)**

This intra-court appeal under Clause X of the Letters Patent has been filed by Dakshin Haryana Bijli Vitran Nigam challenging the judgment and order of the learned Single Judge dated 20.02.2018 allowing the claim made by the respondent-herein for grant of pay scale of Assistant Engineer for the period he was made to work on the said post.

2. Undisputedly, the respondent-petitioner was a Junior Engineer and was handed over the charge of Sub Divisional Officer vide office order dated 06.04.2007 and continued to officiate on the said post till he was regularly promoted on the said post on 31.03.2010. Failure on the part of the appellant herein to give him pay scale of the Assistant Engineer for the period from 16.04.2007 to 31.03.2010 during which he worked on the said post on officiating basis, the writ petition was filed which has since been allowed. Learned Single Judge allowed the writ petition relying upon the

Full Bench judgment of this Court in case *Subhash Chander v. State of Haryana and others* 2012(1) SCT 603, which in turn is based on the pronouncement of the Hon'ble Apex Court in the case of *Smt. P.Grover v. State of Haryana AIR 1983 SC 1060* wherein the same issue has been answered. Learned Single Judge has also placed reliance of the another subsequent Division Bench judgment of this Court in case *Union Territory, Chandigarh Administration and others v. Tarlochan Singh and others* 2014(4) RSJ 22.

3. The claim of the respondent-petitioner has been allowed by the learned Single Judge relying upon the settled proposition of law to which no exception can be made. During the course of arguments, learned counsel for the appellant has failed to point out anything to dispute the proposition of law relied upon by the learned Single Judge or that the ratio therein was not applicable to the facts of the present case.

4. In view of the above, we do not find any good ground for interference in the impugned judgment of the learned Single Judge. The appeal accordingly fails and stands dismissed in limini.

(KRISHNA MURARI)  
CHIEF JUSTICE

(ARUN PALLI)  
JUDGE

07.08.2018  
ravinder

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|---------------------------|---------|
| Whether speaking/reasoned | √Yes/No |
| Whether reportable        | Yes/No√ |