

CWP-1434-2019

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

CWP-1434-2019

Date of Decision: 18.01.2019

A.D.Chaudhary and others

... Petitioners

vs.

State of Haryana and others

.. Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. S.K.Malik, Advocate
for the petitioners.

HARSIMRAN SINGH SETHI, J

In the present writ petition, the petitioners are praying that they had discharged the duties of the post of Sub-Divisional Engineers on current duty charge prior to their regular promotion. The details of the current duty charge and the date of regular promotion have been given by the petitioners in Annexure P1.

Learned counsel for the petitioners states that the similarly situated persons approached this Court by filing CWP No. 4864 of 2011, which was allowed by the Coordinate Bench on 20.11.2013 holding that the employees who have discharged the duties of the higher post, though on current duty, will be entitled for the salary of the said post. Counsel further states that even the Letters Patent Appeal No. 1528 of 2015 against the said judgment was dismissed on 20.10.2015.

Learned counsel for the petitioners further states that the petitioners are also similarly situated persons as the petitioners in CWP-4864-2011 and, hence, they are entitled for the relief, as extended to the petitioners in abovesaid writ petition.

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Learned counsel for the petitioners further states that for the relief which has been claimed in the present writ petition, the petitioners have served the respondent(s) with a legal notice dated 16.11.2018 (Annexure P-4) and the petitioners will be satisfied, at this stage, in case, a time bound direction is issued to respondents to decide the same.

In view of the above, the present writ petition is disposed of with a direction to respondents to pass an appropriate order on the legal notice dated 16.11.2018 (Annexure P-4) within a period of three months from the receipt of a certified copy of this order.

18.01.2019
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No