

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No. 4571 of 2019

Date of Decision : 21.02.2019

Arvind Kumar

...Petitioner

Versus

Kurukshetra University Kurukshetra

...Respondent

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

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

Harsimran Singh Sethi, J.(Oral)

The present writ petition has been filed by the petitioner claiming that he is entitled for the pay of the post of Sub Divisional Officer (Electrical), during the period the petitioner was asked to discharge the duties of the post of Sub Divisional Officer (Electrical) though on current duty charge. In support of his prayer, the petitioner has relied upon the various orders, which have been passed by this Court wherein it is held that the employees are entitled for the pay of the higher post in case they were discharging the duties of the higher post, though on temporary or current duty charge.

Learned counsel for the petitioner states that for the relief, which has been claimed in the present writ petition, the petitioner has served the respondents with a legal notice dated 16.11.2018 (Annexure P-4), which is still pending consideration and has not been decided and the petitioner

will be satisfied, at this stage, in case a time bound direction is issued to the respondents to decide the legal notice by passing a speaking order.

Without going into the merits of the case or expressing any opinion to the entitlement of the petitioner in respect of the claim prayed in the present writ petition or in the legal notice, the present writ petition is disposed of with a direction to the respondents to pass an appropriate speaking order on the claim raised by the petitioner in the legal notice dated 16.11.2018 (Annexure P-4) within a period of three months from the date of receipt of certified copy of this order.

In case after the order, it is found by the respondents that the petitioner is entitled for any monetary benefits, the same should also be released to him within a period of next three months.

The writ petition stands disposed of.

February 21, 2019
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned? Yes
Whether reportable? No