

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CWP No. 9069 of 2019
Date of decision :04.04.2019

Balraj Singh Redhu

...Petitioner(s)

versus

State of Haryana and others

...Respondent(s)

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

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

RITU BAHRI, J. (Oral)

The petitioner is seeking direction to the respondents to grant him pay scale of the post of SDE on which he is doing current duty charge keeping in view the order passed by this Court in ***CWP-9083-2015 Shri Bhagwan Sharma and others V/s. State of Haryana and others*** (Annexure P-4).

The petitioner was appointed as Junior Engineer in Public Health Engineering Department on 04.01.1982 (Annexure P-1). Thereafter he was given current duty charge to the post of SDE on 14.07.2014 and thereafter he was regularly promoted as SDE. Copy of order dated 08.07.2014 giving current duty charge is at Annexure P-2. A condition is imposed in this order that he will not claim any benefits i.e. pay scale/salary etc. The petitioner has served a legal notice dated 16.01.2019 (Annexure P-3) claiming the consequential benefits for discharging the duties of SDE.

Learned counsel for the petitioner has referred to the judgment passed by this Court in ***CWP-9083-2015 Shri Bhagwan Sharma and others V/s. State of Haryana and others*** (Annexure P-4) whereby similarly situated Junior Engineers who were doing current duty charge on the post of SDE, were granted payment to the post of SDE. This judgment has been upheld in ***LPA-1528-2015 State of Haryana and others V/s. Hans Raj***

Gupta and others (Annexure P-5) and even the SLP-30936-2016 has been dismissed on 14.09.2018 (Annexure P-6).

Learned counsel for the petitioner has placed on record the orders passed by the Additional Chief Secretary to Govt. of Haryana (Annexure P-7 colly) whereby the aforesaid judgments have been complied with.

Notice of motion.

Mr. Kiran Pal Singh, Assistant Advocate General, Haryana accepts notice on behalf of the official respondents.

This petition is being disposed of by giving direction to respondents to look into the writ petition as a representation and pass appropriate order on the payment of higher salary while discharging the current duty charge on the post of SDE keeping in view the aforesaid judgments (Annexure P-4 to P-6) within a period of six months from the date of receipt of certified copy of this order.

04.04.2019
Divyanshi

(RITU BAHRI)
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No