

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-33716 of 2019

Date of decision: 20.11.2019

Nachhattar Singh

.... Petitioner

versus

State of Punjab and others

.... Respondents

CORAM:HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. C.L. Sharma Advocate
for the petitioner.

HARSIMRAN SINGH SETHI, J. .

Learned counsel for the petitioner argues that the petitioner is entitled for salary of the post of Junior Engineer on which post he was asked to perform duties while he was in service. Petitioner has not been given salary of the said post, though, it is the settled principle of law that an employee is entitled for the benefit of salary of the post on which he/she discharges the duty.

Learned counsel for the petitioner further argues that the employees, who are similarly situated as the petitioner who also discharged the duties of the post of Junior Engineer, have been extended benefit by the respondents vide order dated 10.11.2017 (Annexure P/4) on the basis of order passed by this Court. Learned counsel further argues that once a similarly situated employees have been extended the benefit, the petitioner should have also been extended the same benefit. Prayer of the petitioner is

to issue direction to the respondents to grant him the benefit as extended to the other similarly situated employees.

Learned counsel for the petitioner states that for the relief, which is being claimed in the present writ petition, the petitioner has submitted representation dated 12.03.2018 Annexure (P/5) with the respondents, which is still pending consideration with the respondents and the petitioner will be satisfied, at this stage, in case a time bound direction is issued to respondent No.2 to decide the said representation.

In view of the request made, without expressing any opinion on the merits of the case or the claim being made by the petitioner, the respondent No.2 is directed to decide the representation dated 12.03.2018 Annexure (P/5) by passing a speaking order within a period of three months from the date of receipt of a certified copy of this order.

Present writ petition stands disposed of.

(HARSIMRAN SINGH SETHI)
JUDGE

20.11.2019
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| 1. | Whether speaking/non-speaking? | Yes/No |
| 2. | Whether reportable? | Yes/No |