

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-34437 of 2019

Date of decision: 26.11.2019

Raj Kumar Goel and others

.... Petitioners

versus

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 prayed 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 Annexur P/1.

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 Co-ordinate 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 LPA No.1528 of 2015 against the said judgement 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 of 2011 and, hence, they are entitled for the relief, as extended to the petitioners in above

said writ petition.

Learned counsel for the petitioners states that for the relief, which is being claimed in the present writ petition, the petitioners have served the respondents with legal notice dated 16.07.2019 (Annexure P/3) 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 the respondents to decide the said legal notice.

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 respondents are directed to decide legal notice dated 16.07.2019 (Annexure P/3) 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

26.11.2019
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| 1. | Whether speaking/non-speaking? | Yes/No |
| 2. | Whether reportable? | Yes/No |