

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-35715 of 2019

Date of decision: 09.12.2019

Daler Singh

.... Petitioner

versus

State of Punjab and others

.... Respondents

CORAM:HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Mukesh Arora, Advocate
for the petitioner.

HARSIMRAN SINGH SETHI, J.

Learned counsel for the petitioner argues that before the petitioner was regularly promoted as Junior Engineer on 27.7.2011, he discharged the duties of the post of Junior Engineer on current duty charge basis and as per the settled principle of law, an employee, who is discharging duties of the higher post is entitled for the pay of higher post, even though, the employee might be working on the said post on officiating basis or current duty charge basis.

Learned counsel for the petitioner further argues that the benefits for the pay of Junior Engineer, for the period from 01.02.2008 till 27.7.2011 has wrongly been denied to the petitioner. Prayer of the petitioner is for issuance of direction to the respondents to grant him the salary of the post of Junior Engineer for the above said period.

Learned counsel for the petitioner states that for the relief, which is being claimed in the present writ petition, the petitioner has served the respondents with legal notice dated 15.06.2019 (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 the legal notice dated 15.06.2019 (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

09.12.2019
aarti

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