

CWP No.12834 of 2015

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP No.12834 of 2015

Date of Decision: 5th February, 2020

Harnek Singh

...Petitioner

Versus

State of Punjab & another

...Respondents

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. C.L. Premy, Advocate,
for the petitioner.

Ms. Anu Pal, DAG, Punjab.

AUGUSTINE GEORGE MASIH, J. (ORAL)

Prayer in this writ petition is for issuance of direction to the respondents in the nature of *mandamus* to consider and grant the pay-scale of the post of Deputy Director Rural Development and Panchayats/ Additional Deputy Commissioner (D), an equivalent post, w.e.f. 14.03.1996 on the principle of equal pay for equal work as the petitioner had performed the duties of the said post as per the order dated 14.03.1996 (Annexure P-3), which involves higher responsibilities. Petitioner is further claiming the benefit till the date of his retirement. i.e. 30.11.2008, till which date he had performed the duties on the said post.

Petitioner has placed reliance upon the judgment of the Division Bench of this Court in LPA No.198 of 2003, titled as 'B.K. Dhir Vs. State of Punjab & another', decided on 23.08.2007 (Annexure P-9), which judgment on challenge by the State of Punjab before the Supreme

CWP No.12834 of 2015

Court in Civil Appeal No.1542 of 2011, stands affirmed and the SLP preferred by the State of Punjab dismissed on 05.09.2017.

In view of the above, there being no reply filed by the respondents and on perusal of the pleadings and going through the judgment passed by the Division Bench of this Court in *B.K. Dhir's* case (supra) as also the judgment of the Hon'ble Supreme Court referred to above, the present writ petition deserves to be allowed in the same terms as in LPA No.198 of 2003, titled as '*B.K.Dhir Vs. State of Punjab & another*', decided on 23.08.2007 (Annexure P-9).

Ordered accordingly.

The consequential benefits be released to the petitioner within a period of two months from today.

5th February, 2020
Harish

(AUGUSTINE GEORGE MASIH)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No