

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

119

**CWP No.3611 of 2021
Decided on : 16.02.2021**

Jai Singh Beniwal

... Petitioner

Versus

State of Haryana and others

... Respondents

CORAM : HON'BLE MR.JUSTICE G.S. SANDHAWALIA

Present: Mr. A.K. Virdi, Advocate for the petitioner.

Mr. RKS Brar, Addl. AG, Haryana.

(The proceedings are being conducted through
video conferencing, as per instructions.)

G.S. Sandhawalia, J. (Oral)

The petitioner in the present writ petition filed under Articles 226/227 of the Constitution of India, seeks directions for issuance of a writ in the nature of mandamus for grant of pay/salary of the post of Assistant Engineer/SDO alongwith consequential benefits arising out of correct fixation of pay/salary from 03.01.2007, as he has joined as a JE-1, as per order dated 09.12.2006 (Annexure P-1) and had performed the said higher responsibilities till 18.01.2014.

Counsel has submitted that representations dated 04.09.2015 (Annexure P-2) and 05.02.2020 (Annexure P-3) for payment of salary for discharging the duties of a higher post have already been moved, but no response has been received.

Notice of motion.

Mr. Brar, accepts notice on behalf of respondent No.1. On the asking of the Court, he also accepts notice on behalf of respondents No.2 and 3.

Counsel further points out that various similar orders have been passed on the said issue and the necessary benefits has been given, as per orders dated 29.07.2017 and 12.10.2018 (Annexures P-8 and P-9) by the respondents.

Keeping in view the limited controversy and since the decision making is incomplete, the respondent No.2 shall decide the said representations of the petitioner within a period of 3 months from the receipt of the certified copy of this order. In case, the amounts are payable, the same be disbursed to him within a period of 2 months, thereafter. In case, the amounts are not payable, speaking order be passed and communicated to the petitioner.

Disposed off.

FEBRUARY 16, 2021
Naveen

(G.S. SANDHAWALIA)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No