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

CWP-9763-2022

Date of Decision: 09.05.2022

Avtar Singh

..... Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Manjit Singh Uppal, Advocate,
for the petitioner.

HARSIMRAN SINGH SETHI J. (ORAL)

Learned counsel for the petitioner argues that though the petitioner was substantively appointed as a Work Munshi with the respondent-Department, but he was actually discharging the duties of the post of Junior Engineer, and thus he is entitled for the grant of salary in the pay scale of the post of Junior Engineer, for the period he has discharged the duties of the said post, keeping in view the settled principle of law, and therefore, the respondents are liable to be directed to grant the petitioner the salary in the pay scale of the post of Junior Engineer, for the period he has discharged the duties of the said post.

Learned counsel for the petitioner submits that the same grievance has also been raised by the petitioner before the respondents by serving legal notice dated 30.12.2021 (Annexure P-15), which is still pending consideration with the authorities concerned and the petitioner will be satisfied at this stage, in case a time bound direction is given to respondent No.5 to decide the said legal notice dated 30.12.2021, by

passing an appropriate speaking order.

Notice of motion.

Ms. Anju Sharma Kaushik, DAG, Punjab, keeping in view the advance service of the copy of petition, accepts notice on behalf of the State and raises no objection, in case prayer made hereinbefore on behalf of the petitioner for deciding the legal notice dated 30.12.2021 (Annexure P-15) in a time bound manner is accepted.

Keeping in view the facts and circumstances of this case and without going into merits of the claim as raised by the petitioner in the present case as well as in the legal notice dated 30.12.2021 (Annexure P-15), this petition is disposed of with a direction to the respondent No.5 to pass an appropriate speaking order on the legal notice dated 30.12.2021 (Annexure P-15), filed by the petitioner, within a period of eight weeks from the date of receipt of the copy of this order.

09.05.2022*Apurva***(HARSIMRAN SINGH SETHI)
JUDGE**

1. Whether speaking/reasoned : Yes
2. Whether reportable : No