

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

Sr. No.133

CWP No.12533 of 2022

Date of Decision: 01.06.2022

Anand Mohan Khurana

.... Petitioner

Versus

State of Haryana and others

... Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. S.K.Malik, Advocate for the petitioner.

HARSIMRAN SINGH SETHI, J. (ORAL)

Learned counsel for the petitioner argues that the petitioner has served on current duty charge as Sub Divisional Engineer from 01.10.1997 to 30.06.2002 but the pay of the said post has not been extended to the petitioner for the said period and that too without any valid justification.

Learned counsel submits that as per settled principles of law, once an employee has worked on a post to discharge his duties on the date current duty charge was given to him, that employee is entitled for the salary for the post for which he/she has discharged the duties and hence, the petitioner is entitled for the salary of the post of Sub Divisional Engineer for the period he has discharged the duties on current duty charge.

Learned counsel for the petitioner further submits that the petitioner has already raised the said grievance before the respondents by serving upon them a legal notice dated 16.11.2021 (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 by passing an appropriate speaking order.

Notice of motion.

Mr. Raman Kumar Sharma, Additional Advocate General, Haryana, who is present in the Court, accepts notice on behalf of the respondents and raises no objection in deciding the legal notice dated 16.11.2021 (Annexure P-3) in a time bound manner by passing an appropriate speaking order.

Without commenting upon the merits of the case or about the entitlement of the petitioner for the relief which has been claimed by him in the legal notice dated 16.11.2021 (Annexure P-3), the present writ petition is disposed of with a direction to respondent No.3 to decide the legal notice dated 16.11.2021 (Annexure P-3) within a period of eight weeks from the receipt of copy of this order.

(HARSIMRAN SINGH SETHI)
JUDGE

01.06.2022
Maninder

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No