

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(125)

CWP No. 26550 of 2022

Date of Decision : 21.11.2022

Vijay Kumar @ Vijay Kumar Grewal and others

...Petitioners

Versus

State of Haryana and another

.....Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Suresh Kumar Kaushik, Advocate for the petitioners.

Harsimran Singh Sethi, J. (Oral)

Learned counsel for the petitioners argues that the petitioners, whose substantive rank is Clerk, but they are discharging the duties of the post of Assistant, hence, keeping in view the settled principle of law, petitioners are entitled for the salary of the post on which they are discharging the duties. The prayer of the petitioners is for issuance of an appropriate direction to the respondents to grant the petitioners the salary of the post of Assistant on which, they are discharging their duties. Learned counsel for the petitioners in support of his contentions, places reliance upon a judgment of Full Bench of this Court in ***Subhash Chander Vs. State of Haryana and others***, 2012 (Vol.I) SCT 603.

Learned counsel for the petitioners submits that the petitioners have already raised the said grievance in the representation dated

04.08.2022 (Annexure P-3) but the same is still pending consideration with

the respondents and the petitioners will be satisfied, at this stage, in case a direction is issued to the respondents to decide the same by passing an appropriate speaking order in a time bound manner.

Notice of motion.

On the asking of the Court, Mr. Harish Nain, learned Assistant Advocate General, Haryana, who is present in Court, accepts notice on behalf of the respondents and raises no objection in deciding the representation dated 04.08.2022 (Annexure P-3) in a time bound manner by passing an appropriate speaking order.

In view of the pleadings in the present petition, without expressing any opinion on the merits of the case or the claim being made by the petitioners in the representation, respondent No. 2 is directed to decide the representation dated 04.08.2022 (Annexure P-3), by passing a speaking order within a period of eight weeks from the receipt of copy of this order.

Present writ petition stands disposed of.

November 21, 2022
kanchan

(HARSIMRAN SINGH SETHI)
JUDGE

Whether reasoned/speaking? *Yes*

Whether reportable? *No*