

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

RSA-1587 of 1991 (O&M)

Date of Order: 29.08.2023

State of Punjab and another

.Appellants

Versus

Dr. Inder Mohan Sood

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Ajit Singh Natt, AAG, Punjab.**ANIL KSHETARPAL, J**

1. The correctness of the concurrent findings of fact arrived at by the courts below is assailed in this regular second appeal by the defendants (State of Punjab). The only issue which survives for consideration is as to whether the First Appellate Court was correct in granting interest @ 12% per annum to the plaintiff on delayed payment or not?

2. The learned counsel representing the appellant admits that the respondent (the plaintiff) has already died. Moreover, the courts below have found that the plaintiff was wrongly not permitted to cross first efficiency bar in order to claim higher pay scale though he was eligible and deserving. The First Appellate Court has already held that the plaintiff opted for new pay scale and therefore he is not entitled to cross the second efficiency bar.

3. Keeping in view the aforesaid facts and discussion, no ground to interfere is made out.

4. Dismissed.
5. All the pending miscellaneous applications, if any, are also disposed of.

August 29, 2023
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(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned
Whether reportable

:YES/NO
:YES/NO