

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

CWP-9566-2023

Date of decision : 04.05.2023

AVTAR SINGH

....Petitioner

Versus

**PUNJAB AGRICULTURAL UNIVERSITY THROUGH REGISTRAR
AND OTHERS**

...Respondents

CORAM: HON'BLE MR. JUSTICE PANKAJ JAIN

Present : Mr. Dhiraj Chawla, Advocate for the petitioner.

PANKAJ JAIN, J. (ORAL)

By way of present writ petition, the petitioner prays for issuance of writ in the nature of mandamus in the form of directions to the respondent-University to pay him salary for the post of Sub Divisional Engineer as he officiated on higher post on Current Duty Charge.

Counsel for the petitioner refers to Annexure P-1 to submit that the petitioner having been given Current Duty Charge of promotional post ought to have been paid the salary of such post. He relies upon dicta laid down in '**P. Grover vs. State of Haryana and another**', 1983 AIR (SC) 1060 and the ratio of law laid down in '**The State of Punjab and another vs. Dharam Pal**', 2017 SCT (4) 460. Counsel for the petitioner further submits that the legal notice already served at the behest of petitioner is pending with the respondent-Authorities and he would be satisfied in case the authorities are directed to decide the same within the time bound period in accordance with law.

Finding it to be a fair request, the present writ petition is disposed off with the direction to respondent No.2 to decide the legal notice served at the behest of the petitioner through his counsel, dated 22nd of December, 2022 (Annexure P-11) within a period of 8 weeks from the date of receipt of certified copy of this order.

The necessary relief, if any, be disbursed to the petitioner within four weeks thereof. However, in case the authorities find that the claim of the petitioner does not merit acceptance, the same shall be adjudicated order by passing a speaking/reasoned after granting him opportunity of personal hearing to the petitioner.

May 04, 2023		(Pankaj Jain)
Dpr		Judge
Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No