

CWP No. 17560 of 2023

2023:PHHC:104568

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(112)

CWP No. 17560 of 2023

Date of Decision : 11.08.2023

Prem Singh and others

...Petitioners

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Jaspal Singh Maanipur, Advocate and
Mr. Joy Preet Meelu, Advocate
for the petitioners.

Harsimran Singh Sethi J. (Oral)

Learned counsel for the petitioners argues that the petitioners had performed the duties of the Block Development and Panchayat Officer on current duty charge and keeping in view the settled principle of law settled by the Hon'ble Supreme Court of India in Civil Appeal No. 2521 of 2013 titled as ***Arindam Chattopadhyay and others Vs. State of West Bengal and others***, decided on 13.03.2013, whereby it has been settled that if an employee discharges the duties of a higher post, he/she will be entitled for the salary of the said higher post, which benefit is not being extended to the petitioners despite the settled principle of law, hence, the respondents are liable to be directed to grant the petitioners the benefit of the salary of the post of Block Development and Panchayat

Officer for the period they discharged the duties of the said post on current duty charge.

Learned counsel for the petitioners submits that the petitioners have already raised the said grievance in the legal notice dated 01.06.2023 (Annexure P-9) 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. Pankaj Middha, learned Additional Advocate General, Haryana, who is present in Court, accepts notice on behalf of the respondent-State and submits that in case, the legal notice dated 01.06.2023 (Annexure P-9) has been received by the department and the same is still pending consideration with the authorities concerned, the same will be decided by the competent authority within a period of eight weeks of the receipt of copy of this order by passing an appropriate speaking order.

Learned counsel for the petitioners submits that keeping in view the statement of learned State counsel, the present petition may kindly be disposed of having been not pressed any further.

Ordered accordingly.

August 11, 2023
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No