



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

(Sr. No. 111)

**LPA No.2144 of 2024 (O&M)
Date of decision: 05.09.2024**

Dakshin Haryana Bijli Vitran Nigam and another

..... Appellants

Versus

Dharampal and another

..... Respondents

**CORAM : HON'BLE MR. JUSTICE DEEPAK SIBAL
HON'BLE MR. JUSTICE DEEPAK MANCHANDA**

Present : Mr. Deepak Balyan, Advocate for the appellants.

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DEEPAK SIBAL, J. (Oral)

(1) The present intra court appeal is directed against judgment dated 14.03.2024 passed by a learned Single Judge of this Court allowing the writ petition filed by respondent No.1 through which he had sought to be paid emoluments applicable to the higher post on which he was made to discharge duties by the appellants.

(2) A few basic facts may be noticed.

(3) While the respondent served the appellant - Dakshin Haryana Bijli Vitran Nigam (for short – Nigam) on the substantive post of Junior Engineer (for short - J.E.), through order dated 17.02.2015, he was given current duty charge to discharge duties on the promotional post of Sub Divisional Officer (for short – S.D.O.). In pursuance to this order, the respondent served the Nigam on the post of S.D.O. from 17.02.2015 till the date of his regular promotion as S.D.O. on 26.10.2018. After his promotion, he made a representation to the Nigam seeking therein the emoluments payable to a



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S.D.O. for the period that he had served on such post on current duty charge basis, of course, after deducting the emoluments paid to him as a J.E. The Nigam rejected his claim occasioning the filing of the aforesaid petition by respondent No.1 before this Court. The learned Single Judge has allowed respondent No.1's prayer through the judgment impugned before us.

(4) Learned counsel for the appellants has been heard.

(5) It is conceded before us that from 17.02.2015 till 26.10.2018 respondent No.1, who held the substantive rank of J.E., was made to work by the Nigam on the next promotional post of S.D.O. and that he actually served the Nigam as a S.D.O. for the aforesaid period on current duty charge basis. It is further not disputed that during the time respondent No.1 served the Nigam, on current duty charge basis, as a S.D.O., his work and conduct was satisfactory.

(6) In the light of the afore undisputed facts, the impugned judgment, through which respondent No.1 has been held entitled to be paid the difference of salary between the posts of S.D.O. and J.E. from 17.02.2015 till 26.10.2018, warrants no interference.

(7) Dismissed.

(8) All pending miscellaneous application(s), if any, also stand disposed of.

**(DEEPAK SIBAL)
JUDGE**

05.09.2024
sunil yadav

**(DEEPAK MANCHANDA)
JUDGE**

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