

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

**RSA No.4118 of 2019 (O&M)
Date of Decision:08.04.2024**

Haryana State Agricultural Marketing Board

...Appellant

Versus

Rameshwar Parsad Naidu

...Respondent

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Padamkant Dwivedi, Advocate for the appellant.

Mr. Deepak Vashishth, Advocate for the respondent.

HARSIMRAN SINGH SETHI, J. (Oral)

1. The present appeal has been filed challenging judgment and decree of the Court below by which the claim of the respondent-plaintiff has been decreed partly for stepping up of his pay equivalent to the defendant No.2, who was junior to him but got further promotion by way of reservation. Learned counsel for the appellant submits that the step up of pay has been granted to the respondent-plaintiff with all consequential benefits whereas, the arrears were liable to be restricted to a period of 03 year 02 months prior to the date of filing of civil suit. Hence, the judgment and decree of the Courts below are liable to be modified accordingly.

2. Learned counsel for the respondent submits that he has instructions to say that the respondent-plaintiff does not have any objection in case, the arrears are restricted to a period of 03 year 02 months from the date of filing of civil suit.

3. Keeping in view the above, the judgment and decrees of the Courts below are modified to the extent that arrears admissible to the respondent-plaintiff upon step up of pay will be restricted for a period of 03 year 02 months prior to the date of filing of civil suit, which benefit admittedly has already been received by the respondent-plaintiff in execution.

4. No other arguments are made on behalf of the parties.
5. Keeping in view the above, the present appeal is partly allowed to the aforementioned extent and judgments/ decree of the Courts below are modified accordingly.
6. The appeal is disposed of, as above.

8th April, 2024

Sonia Puri

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/ No.

(HARSIMRAN SINGH SETHI)

JUDGE