

**IN THE HIGH COURT OF PUNJAB & HARYANA
102+217 AT CHANDIGARH**

**CWP-23591-2018 (O&M)
Date of Decision:01.03.2024**

Raj Devi

.....Petitioner

versus

The Haryana State Agricultural Marketing Board, Panchkula and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present:- Mr. A.K. Walia, Advocate for the petitioner.

Mr. Padamkant Dwivedi, Advocate for respondents.

JASGURPREET SINGH PURI J.(Oral)

CM-14063-CWP-2023

Present application has been filed for placing on record certain documents.

Application is allowed as prayed for.

The accompanying documents at Annexures P-8 to P-15 are taken on record.

Main case

1. The present petition has been filed under Article 226 of the Constitution of India seeking issuance of a writ in the nature of *Mandamus* for issuance of directions to pay the petitioner the salary and allowances of the post of Clerk-cum-Typist on the principles of equal pay for equal work as the petitioner has been performing the duties of Clerk-cum-Typist since the date of her appointment as Peon on 13.02.2003.

2. Having argued the matter at length, learned counsel appearing on

behalf of the respondents on instructions stated that the petitioner will be paid the salary for the post of Clerk during the time period which she had been assigned the duty for the post of Clerk in any capacity whatsoever.

3. Learned counsel for the petitioner submitted that in view of the statement which has been made by learned counsel for the respondents, he does not wish to press the present petition at this stage and the present petition may be disposed of. He further submitted that the petitioner is entitled for the grant of interest of the duty period which she had done on the post of Clerk and further he does not press any other prayer except for the present relief which has been prayed by him today.

4. After hearing learned counsel for the parties, this Court is of the view that since now the learned counsel for the respondents has made a statement on instructions that the petitioner will be paid the salary to the post of Clerk during the time when she was assigned the duties in any capacity whatsoever and the present petition can be disposed of.

5. However, the prayer made by learned counsel for the petitioner with regard to the interest, deserves to be accepted.

6. The respondent No.3 is directed to pass an order within a period of one month from today in which it will be clearly specified based upon the record as to for what period the petitioner had been assigned the duty for the post of clerk in any capacity whatsoever for different periods to work as a Clerk. Thereafter, the difference of salary will be calculated and the same will be paid to the petitioner alongwith the interest @6% per annum from the date of its accrual till its disbursement.

7. In case the petitioner is still aggrieved by any order passed by the

aforesaid authority then the petitioner shall be at liberty to move an appropriate application for revival of the present petition.

8. Disposed of.

(JASGURPREET SINGH PURI)
JUDGE

01.03.2024
shweta

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No