



IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Sr. No.107

LPA-2037-2024 (O&M)

Date of decision : 30.08.2024

Dakshin Haryana Bijli Vitran Nigam Ltd. and others

..... Appellants

Versus

Om Kumar Dalal

..... Respondent

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

Present : Mr.Hitesh Pandit, Advocate, for the appellants.

* * * * *

DEEPAK SIBAL, J. (Oral)

1. The present intra court appeal is directed against the judgment dated 02.02.2024 passed by a learned Single Judge allowing the respondent's writ petition through which he claimed emoluments applicable to the higher post on which he served the appellant-Nigam.

2. It was neither disputed before the learned Single Judge nor before us that while the respondent held the substantive rank of Junior Engineer he served the appellant-Nigam, on current duty charge basis, as Sub Divisional Officer from 12.02.2014 till the date of his superannuation i.e. 31.12.2018.

3. In the light of the above undisputed factual position, no fault, legal or factual, can be found in the impugned judgment through which the respondent has been held entitled to the grant of pay of a Sub Divisional Officer from 12.02.2014 till 07.05.2017 i.e. the period for which the claim had been restricted by the respondent himself on account of subsequent promulgated Rules by the appellant-Nigam w.e.f. 08.05.2017 disallowing payment of additional pay to an employee discharging duty on a higher post on current duty charge basis for the reason that these Rules had not been challenged by the respondent.



4. Dismissed.
5. Pending miscellaneous application(s) also stands disposed of.

[DEEPAK SIBAL]
JUDGE

30.08.2024
shamsher

[DEEPAK MANCHANDA]
JUDGE

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