



CWP-5975-2019

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-5975-2019

Date of Decision:12.03.2025

ANIL KUMAR

..... Petitioner

Versus

STATE OF HARYANA AND ANR.

..... Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present : Mr. Sandeep Siwatch, Advocate
for the petitioner.

Ms. Palika Monga, DAG, Haryana.

Ms. Neha Awasthi, Advocate
for respondent No.2.

JAGMOHAN BANSAL, J. (Oral)

1. The petitioner through instant petition under Articles 226/227 of the Constitution of India is seeking setting aside of order dated 22.06.2018 (Annexure P-1) to the extent he has been denied salary of Tax Inspector from 10.08.2015 to 29.08.2016.

2. The petitioner joined respondent as Peon on 17.02.1997. He from time to time was promoted to higher posts. His junior came to be promoted as Taxation Inspector w.e.f. 10.08.2015. He was promoted by order dated 30.08.2016 and was granted promotion from the date his junior was promoted. He claimed salary of Taxation Inspector from 10.08.2015 to 29.08.2016. The respondent has rejected his claim on the ground of no work no pay.

3. Learned counsel for the petitioner submits that during the



period in question he worked as Taxation Inspector and his junior was promoted w.e.f. 10.08.2015, thus, for all intent and purposes, he was entitled to salary w.e.f. 10.08.2015.

4. Ms. Neha Awasthi, Advocate for respondent No.2 expressed her inability to controvert the fact that petitioner's junior was promoted w.e.f. 10.08.2015 and petitioner even prior to his promotion was discharging duties of Taxation Inspector. She further submits that Competent Authority recommended case of the petitioner to Government, however, delay took place on the part of State Government.

5. Ms. Palika Monga, DAG, Haryana expressed her inability to controvert the aforesaid facts.

6. In the wake of statement of both side and obtained facts, this Court is of the considered opinion that petitioner was entitled to salary of Taxation Inspector w.e.f. 10.08.2015 because he was wrongly denied promotion from the aforesaid date. His junior concededly was promoted w.e.f. 10.08.2015 and there was no lapse on his part. He was also discharging duties of Taxation Inspector during the period in question. Accordingly, the respondents are hereby directed to pay differential salary to the petitioner for the period from 10.08.2015 to 29.08.2016.

7. Disposed of.

(JAGMOHAN BANSAL)
JUDGE

12.03.2025

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Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No