

The State Of Himachal Pradesh vs Piyaar Chand on 20 October, 2022

Bench: M.R. Shah, M.M. Sundresh

ITEM NO.3

COURT NO.5

SECTION XI

S U P R E M E C O U R T O F
RECORD OF PROCEEDINGS

I N D I A

SPECIAL LEAVE PETITION (CIVIL) Diary No(s). 27067/2022

(Arising out of impugned final judgment and order dated 28-04-2022 in LPA No. 39/2022 passed by the High Court Of Himachal Pradesh At Shimla)

THE STATE OF HIMACHAL PRADESH & ORS.

Petitioner

VERSUS

PIYAR CHAND

Respondent

(FOR ADMISSION and I.R. and IA No.137571/2022-CONDONATION OF DELAY IN FILING)

Date : 20-10-2022 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE M.R. SHAH
HON'BLE MR. JUSTICE M.M. SUNDRESH

For Petitioner(s)

Mr. Abhinav Mukerji, AOR
Mrs. Bihu Sharma, Adv.
Mr. Akshay C. Shrivastava, Adv.
Ms. Pratishtha Vij, Adv.

For Respondent(s)

Mr. M. C. Dhingra, AOR
Mr. Gaurav Dhingra, Adv.
Ms. Madhvi Yadav, Adv.

UPON hearing the counsel the Court made the following
O R D E R

Learned counsel appearing on behalf of the petitioners has vehemently submitted that under Notification dated 11.8.1998, the post of Irrigation Booking Clerk was designated as Junior Technician. Therefore, the respondent was designated as Senior Technician and was paid accordingly shall be entitled to the pay scale etc. of Junior Technician only and not as Irrigation Booking Clerk as on and after 1998, the post of Irrigation Booking Clerk was not in existence at all.

14:47:37 IST Reason:

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Delay condoned.

Issue notice returnable on 28.11.2022. Shri M.C. Dhingra, learned counsel, who is on caveat, accepts notice on behalf of the contesting respondent/original writ petitioner.

Counter affidavit, if any, to be filed on or before 11.11.2022.

Rejoinder affidavit, if any, to be filed on or before 22.11.2022.

In the meantime, the execution proceedings to execute the impugned judgment and order are ordered to be stayed. (NEETU SACHDEVA) (RENU BALA GAMBHIR) ASTT. REGISTRAR-cum-PS COURT MASTER (NSH)