

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

COCP No.1607 of 2017 (O&M)

Date of Decision: 17.07.2018

NIRMAL SEHGAL AND OTHERS

..... Petitioners

Versus

**SONAL GOYAL, COMMISSIONER, MUNICIPAL CORPORATION,
FARIDABAD, DISTRICT FARIDABAD**

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. Rohit Ahuja, Advocate
for the petitioners.

Ms. Chhavi Sharma, Advocate for
Mr. P.S. Chauhan, Advocate
for the respondent.

JASWANT SINGH, J. (ORAL)

CM No.4478-CII-2018

Prayer in the present application moved by the counsel for respondents is for placing on record the reply by way of affidavit dated 16.02.2018 of Shri Satish Kumar, Officer Incharge Accounts, Municipal Corporation, Faridabad.

Application is **allowed**, as prayed for and the reply alongwith its **Annexures R-1 to R-3** is taken on record.

Registry to tag/paginate the same at the appropriate place in the paper book.

COCP No.1607 of 2017

The petitioners had filed a writ petition bearing CWP No.12516 of 1999 for seeking change of their designation from ANM to Multi Purpose Health Worker (Female) as also grant revision of pay scale granted to their counterparts employed in Government Hospitals.

In the order dated 12.12.2016 (**Annexure P-1**) passed by this Court in the aforesaid writ petition, while disposing of the same, it was observed that *the first relief based on the claim for re-designating the post of Auxillary Nurse & Midwife (ANM) as Multi Purpose Health Worker (MPHW) has been rendered infructuous since it is an admitted position in the written statement that the re-designation has taken place and the petitioners are MPHWs.* It was further observed that *with the change of designation the petitioners would stand automatically placed in the higher pay scale of Rs.1200 – 2040 w.e.f. 01.01.1994 as granted to their counterparts working in Government Hospitals.* Moreover, this Court had also observed that *in case, that actual benefit has not been paid to the petitioners for any reason, the same will be paid to them within a period of two months form the date of receipt of certified copy of the order.*

Since no action was taken by the respondent-Commissioner, hence the present contempt petition.

This Court, vide order dated 23.01.2018 had passed the following order:-

“ *Learned counsel for the petitioners submits that out of total six petitioners full payment has been released to four petitioners whereas remaining two have been released less payment. On the other hand learned counsels for the respondent submits that payment has been released to all the*

petitioners.

Adjourned to 25.04.2018.

Compliance report be placed on record within a period of two weeks. ”

At the time of hearing today, learned counsel for the respondent states that in compliance of the order dated 12.12.2016 **(P-1)** all the petitioners were given the revised pay scale from the date of appointment and the arrears also been released as annexed with the compliance report **Annexure R-1**. Moreover, the arrears of revised pension of two retired employees namely Smt. Nirmal Sehgal and Smt. Santosh Bala stands paid.

In view of above, learned counsel for the petitioners also concedes the aforesaid factual position and no further action in the present contempt petition is warranted.

Disposed of.

Rule is discharged.

July 17, 2018

'rajneesh'

**(JASWANT SINGH)
JUDGE**

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No