

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

**CWP-7763-2018 (O&M)
Date of decision: - 30.04.2019**

Visheshar Nath Vashishta and others

....Petitioners

Versus

State of Haryana and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. S.S. Dinarpur, Advocate
for the petitioners.

Ms. Nidhi Garg, Assistant Advocate General, Haryana.

HARSIMRAN SINGH SETHI, J. (ORAL)

CM-6802-CWP-2018

Present application has been moved to implead Director, General Health Services, Haryana, Sector-6, Panchkula and Civil Surgeon, Kurukshetra, District Kurukshetra, as respondents No.4 and 5 in the above mentioned writ petition.

Notice of the application to counsel for opposite side.

Ms. Nidhi Garg, Assistant Advocate General, Haryana, accepts notice of the application and she has no objection for the said impleadment.

In view of above, the present application is allowed.

Accordingly, Director, General Health Services, Haryana, Sector-6,

Panchkula and Civil Surgeon, Kurukshetra, District Kurukshetra, are ordered to be impleaded as respondents No.4 and 5 respectively, in the array of respondents.

The amended memo of parties is taken on record.

CM stands allowed.

CWP-7763-2018

Present writ petition has been filed by the petitioners claiming the re-fixation of their pay in view of the orders of this Court passed in CWP No.16084 of 1997, CWP No.2757 of 1998 and CWP No.4518 of 2000 which were upheld by the Hon'ble Supreme Court, vide order dated 08.12.2015 (Annexure P-6) being Civil Appeal No.8661 of 2009.

Petitioners claim that they are similarly situated with the employees, who have been granted the relief by this Court but the same has not been granted to them only on the ground that they have not approached this Court and were not the petitioners in above mentioned writ petitions.

Counsel for the petitioners states that though the notice of motion was issued in the present writ petition about a year ago, but still no reply has been filed on behalf of the respondents so far.

Counsel for the petitioners further states that the petitioners will be satisfied, at this stage, in case, a time bound direction is given to the respondents to decide the representation/application dated 09.10.2017 (Annexures P-7A).

Learned counsel for the respondents states that the

Department has no objection for the grant of prayer of deciding their representation as being made by the petitioners hereinabove.

Keeping in view the request made by counsel for the parties and without expressing any opinion on the merits of the case and entitlement of the petitioners in respect of the claim made in the writ petition/representation, the respondents are directed to decide the representation/application dated 09.10.2017 (Annexures P-7A) within a period of three months from the date of receipt of a certified copy of this order. In case it is found that the petitioners are entitled for any relief, the same shall also be released to them within a period of next three months.

Present writ petition stands disposed of.

April 30, 2019
naresh.k

(HARSIMRAN SINGH SETHI)
JUDGE

Whether reasoned/speaking?	Yes
Whether reportable?	No