

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

CWP No.13768 of 2020 (O&M)

Date of decision: 07.09.2020

Usha Devi

...Petitioner

Versus

Pt. B.D. Sharma, University of Health Sciences and another

...Respondents

CORAM: HON'BLE MR.JUSTICE H.S. MADAAN

Present: Mr. S.K. Bhardwaj, Advocate for the petitioners.

H.S. MADAAN, J. (Oral)

Case taken up through video conferencing.

Petitioner Usha Devi, presently working as Nursing Sister with respondent No.2 has filed the present writ petition against the respondents i.e. Pt. B.D. Sharma, University of Health Sciences through its Registrar, Rohtak and Director, Maharaja Aggarsain Institute of Medical Research and Education, Agroha, Hisar, for issuance of a writ in the nature of certiorari for quashing the impugned action of the respondents authorities in not granting the pay in regular pay scale of Rs.5000-7850/- which was admissible for Staff Nurse as specified in Advertisement (Annexure P2) whereas the due approval of the competent authority was obtained and her appointment was treated as regular instead of Adhoc, vide letter dated 16.06.2001 (Annexure P4) on the principle of 'Equal Pay for Equal Work' because other similar Staff Nurses were drawing pay in the regular pay scale of Rs.5000-7850/-. She has also

craved for grant of consequent benefit.

Notice of motion.

Mr. Nilesh Bhardwaj, Advocate accepts notice on behalf of respondent No.1.

Keeping in view the nature of dispute and in order to avoid unnecessary litigation between the parties, I find it proper and appropriate to direct the respondents to consider the claim of the petitioner and then to take a decision in the matter by way of passing a speaking order within a fixed time frame. Accordingly, the present writ petition is disposed of, directing the respondents to consider the claim of the petitioner and to take suitable action, if so warranted, within a period of two months from the date of receipt of certified copy of the order. However, since the petition is not being decided on merits, it shall be open to the petitioner to seek her legal remedy including approaching this Court again, if she still feel aggrieved after disposal of their representation. The present writ petition along with annexures be taken as representation on behalf of the petitioner for the purpose of consideration by the respondents.

07.09.2020

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(H.S. MADAAN)
JUDGE

Whether speaking/reasoned :

Yes

No

Whether Reportable :

Yes

No