

CWP-6633-2022 (O&M) -1- 2023:PHHC:144414
CWP-3745-2023 (O&M)

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

104+257

CWP-6633-2022 (O&M)
Decided on : 14.11.2023

Archana Garg and others

. . . Petitioners

Versus

National Health Mission Haryana

. . . Respondent

AND

CWP-3745-2023 (O&M)

Ritika Aggarwal

. . . Petitioner

Versus

National Health Mission Haryana

. . . Respondent

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

PRESENT: Mr. R. K. Malik, Sr. Advocate with
Mr. Sandeep Dhull, Advocate
for the petitioners in CWP-6633-2022.

Mr. Vikas Chatrath, Advocate
for the petitioner in CWP-3745-2023.

Mr. Pankaj Middha, Addl. AG, Haryana.

HARSIMRAN SINGH SETHI, J.(ORAL)

1. After arguing for some time, learned Senior counsel appearing on behalf of the petitioners submits that as per the reply filed, the respondent has stated that without approaching the department first, the petitioner has directly approached this Court, coupled with the fact that there is no provision in the by-laws according to which, the performance based incentive being given to the petitioners is withdrawn upon grant of regular pay scale, the petitioners intend to approach the respondent for the redressal of their grievance at this stage and the respondent be directed to

decide their claim as expeditiously as possible so that the petitioners do not suffer any further prejudice.

2. Learned State counsel submits that any representation, which will be received from the petitioner raising any grievance or qua the application of the by-laws for fixing the salary of the employees concerned, appropriate orders will be passed by the respondent within a period of 8 weeks of filing of any such representation and in case, after the decision on the representation, the petitioners are found entitled for any relief, the same will also be extended to them.

3. At this stage, learned Senior counsel appearing on behalf of for the petitioners submits that the petitioners have already got benefit during the pendency of the writ petition under the orders of the Court and the respondent be directed not to make any recovery till the representation is decided so that, the petitioners do not suffer any prejudice.

4. Learned counsel for the respondent submits that in case, any representation is filed within a period of 4 weeks from today, no action qua the recovery of any amount already extended to the petitioner will be done and the same will be subject to the outcome of the representation.

5. Let the petitioner(s), as undertaken, file representation within a period of 4 weeks before the Mission Director for consideration.

6. Learned Senior counsel appearing on behalf of the petitioners submits that keeping in view the statement of learned counsel for the respondent, the present petition may kindly be disposed of having been not pressed any further.
7. Ordered accordingly.
8. Pending application(s), if any, shall disposed of with the abovesaid order.
9. A photocopy of this order be placed on the file of another connected case.

(HARSIMRAN SINGH SETHI)

JUDGE

14.11.2023

Mehak

Whether reasoned/speaking?	Yes/No
Whether reportable?	Yes/No