

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

112

**2023:PHHC:163604
CWP No. 18617 of 2017
Date of Decision:20.12.2023**

Sushil Kumar

....Petitioner

VS.

Union of India and others

....Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: Mr. Rishav Sharma, Advocate for
Mr. D.R.Sharma, Advocate
for the petitioner

Mr. Arvind Moudgil, Senior Panel Counsel
and Ms. Deepanshu Gupta, Advocate
for the Union of India

JAGMOHAN BANSAL, J. (ORAL)

1. The petitioner through instant petition under Articles 226/227 of the Constitution of India is seeking setting aside of order dated 09.08.2017 (Annexure P-15) whereby petitioner has been ordered to be absorbed against the post of Clerk in the pay band 5200-20,200+GP 1900/-.

2. The grievance of the petitioner is that he on account of his disability, vide impugned order, has been ordered to be absorbed against the post of Clerk in the pay band 5200-20,200+GP 1900/- whereas he was already getting grade pay of Rs. 2000/-

3. In the reply, the respondents have categorically stated that pay of the petitioner would be protected after joining the post. The relevant extracts of the reply read as:-

“That in reply to para No. 10 and 11 of the writ petition, it is submitted respectfully that after medically de-categorization, the petitioner was adjudged against the post available as Clerk.

No doubt, he was in grade pay 2000 at the time of medically de-categorization, his pay was supposed to be protected after the joining the same post. If the petitioner joined the post, his pay will be protected.”

4. Counsel for the petitioner submits that petition may be disposed of in the wake of reply of the respondents.

5. The petition stands disposed of in the wake of averments of the respondents in the reply to the effect that pay of the petitioner would be protected.

(JAGMOHAN BANSAL)
JUDGE

20.12.2023
paramjit

Whether speaking/reasoned: Yes/No
Whether reportable: Yes/No