

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CWP-8980-2022(O&M)
Date of decision : 04.03.2024

Himani Sharma and others

... Petitioners

Versus

State of Punjab and others

... Respondents

CORAM: HON'BLE MR.JUSTICE VIKAS BAHL

Present: Mr.Vipin Mahajan, Advocate
for the petitioners.

Ms.Neha Sonawane, DAG, Punjab.

Mr.Rajeev Ananad, Advocate
for respondents no.2 to 7.

VIKAS BAHL, J.(ORAL)

1. This is a civil writ petition filed under Article 226 of the Constitution of India for issuance of a writ in the nature of certiorari for quashing the clause /conditions of the appointment letters issued on various dates i.e., 30.03.2016, 04.07.2016, 24.03.2017, 10.05.2017, 31.05.2017, 24.11.2017, 23.04.2018, 13.08.2018, 20.08.2018, 04.12.2018, 15.03.2019, 06.04.2019 and 20.08.2021 (Annexures P-1 to P-1/50) issued to each of the petitioners wherein it has been stated that during the probation period, the petitioners would be paid fixed emoluments equal to minimum of the pay band without any grade pay or any allowance during the period of probation in terms of Punjab Government notification dated 15.01.2015 (Annexure P-2) in view of the fact that the aforesaid notification has been quashed by a

Division Bench of this Court.

2. Learned counsel for the petitioners has referred to the communication dated 24.05.2023 (Annexure P-12) issued by the Registrar General, Punjab and Haryana High Court, Chandigarh to the Assistant Registrar, Writs Branch, according to which, the judgment passed by the Division Bench of this Court in CWP No. 17064 of 2017 titled as “Ajay Kumar Singla and others vs. State of Punjab and others”, decided on 16.02.2023, has been decided to be implemented qua the employees posted in the Sessions Divisions in the State of Punjab with the condition that an undertaking be taken from the employees to the effect that in case the judgment is set aside by the Hon'ble Apex Court at the instance of State of Punjab, they shall refund the amount. The issuance of the said letter has not been disputed on behalf of the State.
3. Learned counsel for the petitioners has submitted that the present petition be disposed of in the light of the said communication.
4. Ordered accordingly.
5. Pending application(s), if any, stand disposed of in view of the abovesaid order.

(VIKAS BAHL)

JUDGE

March 04, 2024

Davinder Kumar

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