

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

(125)

CWP-8883-2024

Date of Decision : April 22, 2024

**Dr. Parvesh Kadian****.. Petitioner****Versus****State of Haryana and others****.. Respondents****CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI**

Present: Mr. Vicky Chauhan, Advocate, for  
Ms. Anita Balyan, Advocate, for the petitioner.

Mr. Harish Nain, Assistant Advocate General, Haryana.

**HARSIMRAN SINGH SETHI J. (ORAL)**

1. In the present writ petition, the prayer of the petitioner is that the petitioner is entitled for minimum of the pay scale along with all consequential benefits of the post on which the petitioner is discharging the duties keeping in view the order passed by the Hon'ble Supreme Court of India in *State of Punjab and others vs. Jagjit Singh and others 2017 (1) SCC 148*.

2. Learned counsel for the petitioner submits that despite the fact that the instructions has been issued by the respondents on 03.11.2017 (Annexure P-5) but the said benefits are not being extended to the petitioner and that too without any valid justification.

3. Notice of motion.

4. Mr. Harish Nain, learned Assistant Advocate General, Haryana,

who is present in the Court, accepts notice on behalf of the respondents.

5. Learned counsel for the respondents submits that without raising any grievance before the authorities concerned, the present writ petition has been filed by the petitioner which is not maintainable and in case the petitioner raise any such claim for the grant of minimum of pay scale along with all consequential benefits of the post on which the petitioner is discharging the duties by filing appropriate representation, the same will be decided by the competent authority in accordance with law by passing an appropriate speaking order within a period of eight weeks of the receipt of any such claim and in case, after the decision of the representation, any benefit accrues to the petitioner, the same will also be released to him otherwise due reasons will be mentioned in the speaking order for not accepting the claim of the petitioner for his information and necessary action.

6. Learned counsel for the petitioner submits that keeping in view the statement of learned counsel for the respondents, the present writ petition may kindly be disposed of having been not pressed any further with liberty to raise all the claim before the authorities concerned by filing appropriate representation.

7. Ordered accordingly.

**April 22, 2024**

*harsha*

**(HARSIMRAN SINGH SETHI)**

**JUDGE**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No