

CM-15209-CWP-2024 and
CM-15210-CWP-2024 in/and
CWP-17397-2022

1

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(107)

CM-15209-CWP-2024 and
CM-15210-CWP-2024 in/and
CWP-17397-2022
Date of Decision : September 20, 2024

Dr. Amandeep Vatish

.. Petitioner

Versus

State of Punjab and others

.. Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Anil Mehta, Advocate, and
Mr. Prashant Kumar Kapila, Advocate,
for the applicant-petitioner.

Mr. Amarpreet Singh Bains, Assistant Advocate General,
Punjab.

HARSIMRAN SINGH SETHI J. (ORAL)

CM-15209-CWP-2024

Present application has been filed for early hearing of the present writ petition as the main writ petition has been fixed for 16.01.2025.

Notice of the application to the counsel opposite.

Mr. Amarpreet Singh Bains, learned Assistant Advocate General, Punjab, who is present in the Court, accepts notice on behalf of the respondents. He raises no objection for the grant of prayer as raised in the present application.

Keeping in view the averments made in the application, which are duly supported by an affidavit, the application is allowed and hearing of the main writ petition is preponed from 16.01.2025 to today.



**CM-15209-CWP-2024 and
CM-15210-CWP-2024 in/and
CWP-17397-2022**

2

CM-15210-CWP-2024

As prayed for, the application is allowed.

Replication to the written statement filed on behalf of respondents
No. 1 and 2, is taken on record.

CWP-17397-2022

1. Learned counsel for the petitioner submits that the petitioner is claiming the protection of pay after his appointment in Government service.
2. As per the reply filed, the respondents are placing reliance upon the decision/notification dated 07.11.2017 by which, after noticing Rule 4.4 B of the Punjab Civil Services Rules Volume I Part I, the Government decided not to protect the pay of any employee, who is appointed in the Government qua the initial service rendered in the body in corporate, which is wholly or substantially owned and controlled by the Government. The said instructions have been made operative from 31.01.2016.
3. Learned counsel for the petitioner submits that the petitioner intends to challenge the said instructions so as to claim the benefit of Rule 4.4. of the Punjab Civil Services Rules, as the petitioner is aggrieved qua the interpretation being given to Rule 4.4 B in the instructions dated 07.11.2017.
4. Keeping in view the above, the present writ petition is allowed to be withdrawn with liberty to the petitioner to challenge the instructions dated 07.11.2017.

September 20, 2024
harsha

(HARSIMRAN SINGH SETHI)
JUDGE

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