



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(224)

CWP No. 7328 of 2018 (O&M)

Date of Decision : 19.11.2024

Prachi Pandey Ojha

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Aman Bansal, Advocate and
Mr. Lakshay Jindal, Advocate for the petitioner.

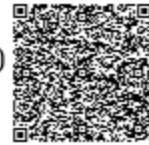
Mr. Satnam Preet Singh, Deputy Advocate General, Punjab.

Harsimran Singh Sethi J. (Oral)

1. In the present petition, the grievance being raised by the petitioner is that she is not being given the benefit of minimum of the pay scale as envisaged for the post keeping in view the judgment of the Hon'ble Supreme Court of India in ***State of Punjab and others vs. Jagjit Singh and others***, 2016 (4) SCT 641, which judgment has been followed in CWP No. 6391 of 2016 titled as ***Dr. Vishavdeep Singh and others Vs. State of Punjab and others***, decided on 26.10.2018.

2. Learned counsel for the respondents has not been able to distinguish the said judgment to be applicable in the claim of the petitioner.

3. Keeping in view the fact that no differentiating fact in the case of the petitioner has been pointed out by the learned State counsel, hence, the applicability of the judgment in ***Dr. Vishavdeep Singh and others (supra)***



cannot be denied in the case of the petitioner. The present petition is also disposed of in terms of the judgment of the Division Bench of this Court in ***Dr. Vishavdeep Singh and others (supra)***.

4. At this stage, learned counsel for the respondents submits that the judgment in ***Dr. Vishavdeep Singh and others (supra)*** is pending consideration before the Hon'ble Supreme Court of India and he does not know as to whether this judgment has been stayed or not hence, the implementation of the said judgment qua the petitioner be also made subject to any order to be passed by the Hon'ble Supreme Court of India.

5. Learned counsel for the petitioner submits that in case, the judgment in ***Dr. Vishavdeep Singh and others (supra)*** is modified or set-aside by the Hon'ble Supreme Court of India, the same can be made applicable qua the petitioner as well without there being any further appeal qua the present order.

6. Present petition is disposed of in terms of ***Dr. Vishavdeep Singh and others (supra)*** subject to the order to be passed by the Hon'ble Supreme Court of India.

7. Pending miscellaneous application, if any, also stands disposed of.

November 19, 2024
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : No