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CWP-396-2025 (O&M)
Date of Decision: 15.09.2025

**CORAM: HON'BLE MR. JUSTICE ASHWANI KUMAR MISHRA
HON'BLE MR. JUSTICE ROHIT KAPOOR**

Mr. S.S.Gill, Sr. DAG, Punjab.

Ms. Madhu Dayal, Additional Standing Counsel with
Ms. Aashna Gill, Junior Standing Counsel
for respondents No. 2 to 5.

ASHWANI KUMAR MISHRA, J. (ORAL)

Petitioners are the employees of Union Territory, Chandigarh, who are aggrieved by certain notifications issued by the State of Punjab, as a consequence whereof the pay scale allegedly admissible to them is not being released.

2. It is submitted that there are instructions issued by the State of Punjab which are adopted by the Union Territory, Chandigarh. As such, the petitioners cannot approach the Central Administrative Tribunal (for short 'the Tribunal') since the Tribunal will have no jurisdiction to go into the legality of the decisions taken by State of Punjab.

3. Learned counsel for the respondents, however, contend that this petition is not maintainable inasmuch as the the petitioners being the employees of the U.T.Chandigarh, their remedy will be before the Tribunal.



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It is also submitted that the rules/instructions issued by the State of Punjab are not *ipso facto* applicable upon U.T, Chandigarh, and if such instructions are adopted by the U.T, Chandigarh, the factum of adoption and its legality would always remain open for challenge before the Tribunal.

4. We are of the considered view that since the service conditions of the petitioners are governed by the statutory rules framed by the U.T, Chandigarh, any dispute arising out of the petitioners' entitlement in respect of payment of salary etc., can be examined by the Tribunal at the first instance. So far as the adoption of any criteria or policy of the State of Punjab by the U.T. is concerned, the petitioners would always be at liberty to assail such adoption. Since the notifications/instructions of the State of Punjab, are otherwise not found applicable to the employees of the U.T.Chandigarh, we do not find any occasion for this Court to bypass the remedy available before the Tribunal.

5. The petition is, accordingly, dismissed. However, it would be open for the petitioners to avail such other remedy as is admissible in law, if so advised.

6. Pending application(s), if any, also stand(s) disposed of.

(ASHWANI KUMAR MISHRA)
JUDGE

(ROHIT KAPOOR)
JUDGE

15.09.2025
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Whether speaking/reasoned	: Yes/No
Whether Reportable	: Yes/No