

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

(1.)

CWP No.11014 of 2014
Date of Decision:- 13.07.2015.

Union of India

Versus

.....Petitioner

P.C. Gupta and others

.....Respondents

(2.)

CWP No.27320 of 2013

Union of India

Versus

.....Petitioner

Badri Prakash and others

.....Respondents

(3.)

CWP No.27766 of 2013

Union of India

Versus

.....Petitioner

Iqbal Singh Bhatia and others

.....Respondents

(4.)

CWP No.14202 of 2014

Union of India

Versus

.....Petitioner

Ranjit Singh and others

.....Respondents

(5.)

CWP No.14404 of 2014

Union of India

Versus

.....Petitioner

Harsh Bala and others

.....Respondents

(6.)

CWP No.15686 of 2014

Union of India

Versus

.....Petitioner

Raghbir Singh and others

.....Respondents

(7.)

CWP No.20884 of 2014

Additional Director, Central Government Health Scheme

Versus

.....Petitioner

Sukhbir Singh and others

.....Respondents

(8.)

CWP No.2923 of 2014

Union of India

.....Petitioner

Versus

Joginder Singh and others

.....Respondents

(9.)

CWP No.1326 of 2015

Additional Director, Central Government Health Scheme

.....Petitioner

Versus

Harjit Singh and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE SURYA KANT
HON'BLE MR. JUSTICE P.B. BAJANTHRI

1. Whether Reporters of local papers may be allowed to see the judgment?
2. To be referred to the Reporters or not?
3. Whether the judgment should be reported in the Digest?

Present: Mr. Brijeshwar Singh Kanwar, Senior Panel
Counsel for Union of India-Petitioner.

Mr. Padamkant Dwivedi, Advocate for
respondent No.2 in CWP No.14404 of 2014 and
respondent Nos.1, 3 and 8 in

CWP No.2923 of 2014.

Mr. P.C. Goyal, Advocate for
respondent Nos.2, 3, 4, 6, 7, 10 and 11 in
CWP No.1326 of 2015.

SURYA KANT, J. (ORAL)

- 1.) This order shall dispose of CWP No.11014 of 2014 along with CWP Nos.27320, 27766 of 2013, 14202, 14404, 15686, 20884, 2923 of 2014 and 1326 of 2015 as in all the cases a common question pertaining to eligibility of the private respondents for the grant of benefits and facilities under the Central Government Health Scheme (CGHS) has been raised.
- 2.) The Central Administrative Tribunal, Chandigarh Bench (in short 'the Tribunal') has vide its orders passed in each case and which are under challenge at the instance of Union of India, has held the private respondents entitled to such benefits and for that purpose, the Tribunal has relied upon the orders passed by various Benches of the Tribunal and High Courts throughout the country.
- 3.) These cases were adjourned from time to time for the reason that SLP No.4365-4377 of 2010 and other connected cases arising out of the decisions of jurisdictional High Courts are under consideration before the Hon'ble Supreme Court which are now stated to be listed on 20.07.2015.
- 4.) Learned counsel for the parties, however, are *ad idem* that these writ petitions can be disposed of with clarificatory directions that the decision of the Hon'ble Supreme Court awaited in the identical pending cases shall be *ipso facto* applicable in these cases also, even if no formal SLP is filed by either party.

5.) We order accordingly.

6.) Resultantly, the instant writ petitions are disposed of with a clarificatory direction that if the Hon'ble Supreme Court would dismiss the SLPs preferred by Union of India, the orders passed by the Tribunal in each case shall be given effect with full force within a period of two months from the date of decision of the Hon'ble Supreme Court. However, if the Hon'ble Supreme Court disapproves the view taken by the Tribunal or by different High Courts, in that event, the impugned orders passed by the Tribunal shall be deemed to have been set aside even without preferring any formal SLP by the Union of India, and the respondents shall not be entitled to the benefit drawn out of the orders passed by the Tribunal. Till the matter is decided by the Hon'ble Supreme Court, the petitioner-Union of India shall continue to grant benefit under the orders of the Tribunal as is being presently granted to the private respondents.

**(SURYA KANT)
JUDGE**

**(P.B. BAJANTHRI)
JUDGE**

July 13, 2015.

sandeep sethi