

CWP No. 1371 of 2015

1

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

CWP No. 1371 of 2015.

Date of Decision : 07.09.2015.

Jatinder Kaur and others

...Petitioners

Versus

Union of India and others

...Respondents

CORAM: HON'BLE MR. JUSTICE PARAMJEET SINGH

Present: Ms. Anupam Bhanot, Advocate for the petitioners.

Mr. Karminder Singh, Advocate
for respondents No. 1 to 3, 5 and 6.

Mr. Suresh Singh, Addl. Advocate General, Punjab.

Mr. Jagdish Manchanda, Advocate for respondent No. 7.

Paramjeet Singh, J.(Oral)

The instant petition has been filed under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of mandamus directing the respondents to allow the petitioners to travel back to Canada and the compensation for negligent service on the part of the respondents.

So far as the prayer made in first part of the petition is concerned, Mr. Karminder Singh, learned counsel for Union of India

states that the petitioners have already returned to Canada and the said fact has also been admitted by the learned counsel for the petitioners. In view of this, the present writ petition to that extent has become infructuous.

So far as the second prayer regarding compensation, disputed facts are involved, which cannot be gone into in exercise of extra ordinary jurisdiction under Article 226 of the Constitution of India. Petitioners will have to prove by leading evidence as to how much financial loss has been suffered by them. They will be at liberty to approach the Civil Court to avail any other remedy in accordance with law including the Consumer Courts.

Disposed of.

September 07, 2015.
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(PARAMJEET SINGH)
JUDGE