

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.17086 of 2015

Date of Decision: 19.08.2015

Ajmer Singh Kooner and others

... Petitioners

Versus

State of Punjab and others

... Respondents

CORAM:- HON'BLE MR. JUSTICE RAJIV NARAIN RAINA

Present: Mr. Krishan Singh Dadwal, Advocate,
for the petitioners.

1. To be referred to the Reporters or not?
2. Whether the judgment should be reported in the Digest?

RAJIV NARAIN RAINA, J.

A large number of writ petitions were decided by a common judgment and order rendered in CWP No.10575 of 2013 and connected cases on July 30, 2015. The writ petitions were allowed and the impugned order dated November 22, 2012 (Annexure P-6) was set aside. The Financial Commissioner, Punjab in the Department of Agriculture was directed to revisit the matter and pass appropriate orders in accordance with law within a period of three months from the date of certified copy of the order.

Mr. Dadwal submits that for one or the other reason the present petitioners were left out of the bunch of writ petitions though their claim is identical to the one in the disposed of matters. In the previous litigation in CWP No.7888 of 2012, the one before CWP No.10575 of 2013 and connected cases the petitioners were arrayed at petitioner Nos.1 to 3, 6 and 7 in the list of the joint petitioners except petitioner Nos.3, 7 and 8, who were also granted the same benefit as per High Court order. That writ

petition was disposed of with a direction to the respondents to consider the representation/s to which the present petitioners were also a signatory amongst a host of other aggrieved petitioners who approached this court for relief. Since the competent authority to implement the orders passed by this Court, in the subsequent writ petition, was already seized of the matter and was mandated to revisit the issue in the light of judgment then Mr. Dadwal submits that it would serve no useful purpose to issue notice of motion in the present case only to receive the response of the State which is already known since the matter rests with the court order dated July 30, 2015 only to be taken to its logical end in implementation of the directions issued so that the petitioner can join pending departmental proceedings.

In the circumstances, I accept the prayer of Mr. Dadwal as reasonable by disposing of this writ petition in the same terms as order dated July 30, 2015 passed in CWP No.10575 of 2013. In case the decision has already not been taken in compliance of the directions in the aforesaid writ petition, then the case of the petitioners can easily and deserves to be clubbed with the rest of the bunch of petitioners in that petition and decided together in accordance with law. In case the matter stands concluded before administrator, even then the competent authority would pass an order in the present case in terms of the order passed in the revisit proceedings but after hearing the petitioners and passing a speaking order.

The petition stands disposed of with the above directions.

(RAJIV NARAIN RAINA)
JUDGE

19.08.2015

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