

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

**COCp-2129-2016 (O&M)
Date of decision: 8.11.2016**

Tek Chand and ors

.....Petitioners.

Versus

D P Reddy, Secretary, Punjab

.....Respondent.

CORAM: - HON'BLE MR. JUSTICE RAJAN GUPTA.

Present: - Mr. Vishal Garg Narwana, Advocate for petitioners.

Mr. V. Ramswaroop, Addl. AG, Punjab

Rajan Gupta, J.

....

Petitioner alleges violation of the order passed by the writ court dated 20.1.2016 (Annexure P-1).

Learned State counsel at the outset refers to the affidavit of D.P.Reddy, Additional Chief Secretary, Government of Punjab, Department of Finance, dated 3.10.2016. Paras 3 and 4 thereof reads as under: -

- “3. That the deponent office has issued advice dated 30.9.2016, wherein the Administrative Department has been accorded financial sanction to implement the order of Hon'ble Court dated 20.1.2016. A copy of advice dated 30.9.2016 is annexed as Annexure R/1. It is further submitted that Administrative Department i.e. Department of Justice has to release the monetary benefits to the petitioners.
4. That there is delay which is procedural. The deponent's Department of Finance after receiving the proposal from the Administrative Department, the financial sanction is to be issued but in the present case the matter was repeatedly referred to the Department of Justice to send the proposal for making compliance of

the order but till 30.9.2016, no proposal was received. The deponent office considered and examined the case of petitioners, in compliance of the order of the Hon'ble Court financial sanction was issued, the delay is regretted and deponent tenders apology for it.”

According to learned State counsel order passed by the writ court has been complied with. He further submits that he has received a communication dated 5.10.2016, according to which sanction for release of proportionate share i.e. 48.94% (total amount ₹ 16,88,690/-) has been granted. He has produced a copy of said communication. Same is taken on record as *Mark 'A'*.

In view of above, no cause of action survives in the present petition.

Rule is discharged.

Petition is dismissed.

(RAJAN GUPTA)
JUDGE

08.11.2016
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Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No