

Civil Writ Petition No. 10685 of 2016 & other connected cases

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

**Civil Writ Petition No. 10685 of 2016
Date of Decision: 15.12.2016**

Ranjit Singh

.....Petitioner

Vs.

Union of India and others

.....Respondents

Civil Writ Petition No. 12128 of 2016

Sarla Goswami

.....Petitioner

Vs.

Union of India and others

.....Respondents

Civil Writ Petition No. 14009 of 2016

Pradhuman Singh

.....Petitioner

Vs.

Union of India and others

.....Respondents

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Civil Writ Petition No. 14069 of 2016

Kishor Singh

.....Petitioner

Vs.

Union of India and others

.....Respondents

Civil Writ Petition No. 14434 of 2016

Mohan Ram

.....Petitioner

Vs.

Union of India and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

Present : Mr. Rajeev Anand, Advocate
for the petitioner.

Mr. Manish Singla, Advocate
Mr. J.S.Lalli, Advocate
Mr. Anil Chawla, Advocate
Mr. H.S. Baidwan, Advocate
Mr. Amit Arora, Advocate
for the respondents.

RAMESHWAR SINGH MALIK J. (ORAL)

These five writ petitions bearing CWP Nos. 10685, 12128, 14009, 14069, 14434 of 2016 are being decided together vide this common consent order.

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Affidavit dated 15.12.2016 of Sh. Sanjay Kumar Chowdhary, DIG (Administration), North West Frontier (HQ), ITBP, Chandigarh, filed in the Court today, is taken on record and copy thereof has been supplied to learned counsel for the petitioner.

Learned counsel for the parties are ad idem that since CWP-26661-2015 (Rakesh Narain Singh Vs. Union of India and others), has been disposed of today by a Coordinate Bench of this Court, granting time to the occupants-petitioners up to 31.3.2017 to hand over the vacant possession of Separate Family Accommodation ('SFA' for short) to the competent authority, let these writ petitions be also disposed of, granting time to the petitioners up to 31.3.2017.

In view of the abovesaid fair stand taken by learned counsel for the parties, all these writ petitions are disposed of with the following directions:-

I) Petitioners shall be allowed to continue in the SFA allotted to them till 31.3.2017, so as to enable them to make an alternative arrangement.

ii) Petitioners shall hand over the vacant possession of SFA to the competent authority on or before 31.3.2017. None of the petitioners shall be allowed to continue in the SFA after 31.3.2017.

iii) So far as recovery of penalty amount is concerned, since the instant one is a consent order, respondents shall not recover any penal interest from any of the petitioners till 31.3.2017.

However, it is made clear that since these cases are being disposed of in view of their peculiar facts and circumstances, present order

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shall not be treated as precedent in future. Should there be any ambiguity in this regard, whatever penal rent, if any of the petitioners has already paid, it shall not be refunded to him, at the hands of the respondent authorities.

With the abovesaid observations and directions issued, all these writ petitions stand disposed of, however, with no order as to costs.

(RAMESHWAR SINGH MALIK)
JUDGE

15.12.2016
Ak Sharma

Whether speaking/reasoned Yes/No
Whether reportable: Yes/No