

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No. 17779 of 2015
Decided on : 25.02.2016.

Dharam Pal and others

. . . Petitioners

Versus

State of Haryana and others

. . . Respondents

CORAM: HON'BLE MR. JUSTICE AJAY KUMAR MITTAL
HON'BLE MRS. JUSTICE RAJ RAHUL GARG

PRESENT: Mr. Sandeep Sharma, Advocate
for the petitioners.

Mr. Saurabh Mago, AAG, Haryana.

Mr. Rajesh Gaur, Advocate
for respondent No.3.

AJAY KUMAR MITTAL, J. (Oral)

This writ petition has been filed under Articles 226 and 227 of the Constitution of India for issuance of directions to the respondents to give the annuity and other benefits as per the policy dated 07.12.2007 (Annexure P1).

2. In the affidavit filed by respondents No.1 and 2, in para 5, it has been stated that the petitioners have already lifted their annuity amount vide cheques No. 398835, 398836 and 398837 on 25.10.2015 and 28.10.2015.

The said para is reproduced as under:-

“That coming to the case of the petitioners, it is submitted that as per the information received from the HSIIDC, respondent No.3, the petitioners have already lifted their annuity amount vide cheque Nos. 398835, 398836 and 398837 on dated

25.10.2015 and 28.10.2015.”

3. Learned State counsel submitted that in view thereof, the writ petition has been rendered infructuous.

4. Learned counsel for the petitioners submitted that he has not been able to get instructions from the petitioners in that behalf. He, however, prayed that the present writ petition may be disposed of as infructuous and liberty be granted to the petitioners to file an application for revival of the same in case the averments made in the affidavit are found to be incorrect.

5. In view of the above, the present writ petition is disposed of as infructuous. It shall, however, be open to the petitioners to file an application for revival of the writ petition in case the averments made in the petition are found to be incorrect.

6. It is further clarified that the petitioners would be at liberty to file a representation claiming the amount of interest on the delayed payment. In case, any such representation is filed, the same shall be decided by the concerned authority by passing a speaking order in accordance with law.

(AJAY KUMAR MITTAL)
JUDGE

(RAJ RAHUL GARG)
JUDGE

25.02.2016
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