

**CM-8657-C-2018 in/and
RSA-3270-2018 (O&M)+ connected cases**

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

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Date of Decision : 2.7.2018

**CM-8657-C-2018 in/and
RSA-3270-2018 (O&M)**

**Union of India through Secretary, Department of Home Affairs
..... Appellant**

Versus

Harjinder Singh and others Respondents

RSA-3272-2018 (O&M)

**Union of India through Secretary, Department of Home Affairs
..... Appellant**

Versus

Bakshish Singh and others Respondents

RSA-3274-2018 (O&M)

**Union of India through Secretary, Department of Home Affairs
..... Appellant**

Versus

Swarn Singh and others Respondents

RSA-3277-2018 (O&M)

**Union of India through Secretary, Department of Home Affairs
..... Appellant**

Versus

**Gurdev Singh since deceased through his legal heirs and others
..... Respondents**

RSA-3278-2018 (O&M)

**Union of India through Secretary, Department of Home Affairs
..... Appellant**

CM-8657-C-2018 in/and
RSA-3270-2018 (O&M)+ connected cases

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Versus

Tarsem Singh and others

..... Respondents

RSA-3279-2018 (O&M)

Union of India through Secretary, Department of Home Affairs

..... Appellant

Versus

Kashmir Singh and others

..... Respondents

RSA-3280-2018 (O&M)

Union of India through Secretary, Department of Home Affairs

..... Appellant

Versus

Gurnam Singh and others

..... Respondents

RSA-3281-2018 (O&M)

Union of India through Secretary, Department of Home Affairs

..... Appellant

Versus

Randhir Singh and others

..... Respondents

RSA-3282-2018 (O&M)

Union of India through Secretary, Department of Home Affairs

..... Appellant

Versus

Gurmej Singh and others

..... Respondents

RSA-3283-2018 (O&M)

Union of India through Secretary, Department of Home Affairs

..... Appellant

Versus

Daljit Singh alias Kuljit Singh since deceased through his legal heirs
and others

..... Respondents

RSA-3284-2018 (O&M)

**Union of India through Secretary, Department of Home Affairs
..... Appellant**

Versus

Rawel Singh and others Respondents

RSA-3285-2018 (O&M)

**Union of India through Secretary, Department of Home Affairs
..... Appellant**

Versus

Jasbir Singh and others Respondents

RSA-3287-2018 (O&M)

**Union of India through Secretary, Department of Home Affairs
..... Appellant**

Versus

**Balraj Singh since deceased through his legal heirs and others
..... Respondents**

RSA-3288-2018 (O&M)

**Union of India through Secretary, Department of Home Affairs
..... Appellant**

Versus

Sarwan Singh and others Respondents

RSA-3289-2018 (O&M)

**Union of India through Secretary, Department of Home Affairs
..... Appellant**

Versus

Mohinder Singh and others Respondents

**CM-8657-C-2018 in/and
RSA-3270-2018 (O&M)+ connected cases**

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RSA-3290-2018 (O&M)

**Union of India through Secretary, Department of Home Affairs
..... Appellant**

Versus

**Jaswinder Singh and others
..... Respondents**

RSA-3291-2018 (O&M)

**Union of India through Secretary, Department of Home Affairs
..... Appellant**

Versus

**Meharban Singh and others
..... Respondents**

RSA-3292-2018 (O&M)

**Union of India through Secretary, Department of Home Affairs
..... Appellant**

Versus

**Harpal Singh and others
..... Respondents**

RSA-3293-2018 (O&M)

**Union of India through Secretary, Department of Home Affairs
..... Appellant**

Versus

**Gulzar Singh and others
..... Respondents**

RSA-3294-2018 (O&M)

**Union of India through Secretary, Department of Home Affairs
..... Appellant**

Versus

**Sardar Ajit Singh since deceased through his legal heirs and others
..... Respondents**

CM-8657-C-2018 in/and RSA-3270-2018 (O&M)+ connected cases	5
RSA-3295-2018 (O&M)	
Union of India through Secretary, Department of Home Affairs	 Appellant
Versus	
Gurdarshan Singh and another	 Respondents
RSA-3296-2018 (O&M)	
Union of India through Secretary, Department of Home Affairs	 Appellant
Versus	
Jaswinder Singh and others	 Respondents
RSA-3297-2018 (O&M)	
Union of India through Secretary, Department of Home Affairs	 Appellant
Versus	
Bhagwant Singh and others	 Respondents
RSA-3298-2018 (O&M)	
Union of India through Secretary, Department of Home Affairs	 Appellant
Versus	
Gurmit Singh and others	 Respondents
RSA-3299-2018 (O&M)	
Union of India through Secretary, Department of Home Affairs	 Appellant
Versus	
Ghasita Singh and others	 Respondents

CM-8657-C-2018 in/and
RSA-3270-2018 (O&M)+ connected cases

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RSA-3300-2018 (O&M)

Union of India through Secretary, Department of Home Affairs
..... Appellant

Versus

Pooran Singh and others
..... Respondents

RSA-3301-2018 (O&M)

Union of India through Secretary, Department of Home Affairs
..... Appellant

Versus

Kashmir Singh and others
..... Respondents

RSA-3302-2018 (O&M)

Union of India through Secretary, Department of Home Affairs
..... Appellant

Versus

Jasbir Singh and others
..... Respondents

RSA-3303-2018 (O&M)

Union of India through Secretary, Department of Home Affairs
..... Appellant

Versus

Wassan Singh and others
..... Respondents

RSA-3304-2018 (O&M)

Union of India through Secretary, Department of Home Affairs
..... Appellant

Versus

Raj Singh and others
..... Respondents

**CM-8657-C-2018 in/and
RSA-3270-2018 (O&M)+ connected cases**

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RSA-3305-2018 (O&M)

**Union of India through Secretary, Department of Home Affairs
..... Appellant**

Versus

Harpal Singh and others Respondents

RSA-3306-2018 (O&M)

**Union of India through Secretary, Department of Home Affairs
..... Appellant**

Versus

Sarabjit Kaur and others Respondents

RSA-3307-2018 (O&M)

**Union of India through Secretary, Department of Home Affairs
..... Appellant**

Versus

**Harbans Singh since deceased through his legal heirs and others
..... Respondents**

RSA-3308-2018 (O&M)

**Union of India through Secretary, Department of Home Affairs
..... Appellant**

Versus

Nirmalbir Singh and others Respondents

RSA-3338-2018 (O&M)

**Union of India through Secretary, Department of Home Affairs
..... Appellant**

Versus

Gurmit Singh and others Respondents

**CM-8657-C-2018 in/and
RSA-3270-2018 (O&M)+ connected cases**

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RSA-3339-2018 (O&M)
Union of India through Secretary, Department of Home Affairs
..... Appellant
Versus

Karamit Singh alias Kashmir Singh and others **..... Respondents**

RSA-3343-2018 (O&M)
Union of India through Secretary, Department of Home Affairs
..... Appellant
Versus

Daljit Singh since deceased through his legal heirs and others
..... Respondents

RSA-3345-2018 (O&M)
Union of India through Secretary, Department of Home Affairs
..... Appellant
Versus

Paramjit Singh and others **..... Respondents**
RSA-3386-2018 (O&M)

Union of India through Secretary, Department of Home Affairs
..... Appellant
Versus

Piara Singh since deceased through his legal heirs and others
..... Respondents
RSA-3286-2018 (O&M)

Union of India through Secretary, Department of Home Affairs
..... Appellant
Versus

Sucha Singh since deceased through his legal heirs and others
..... Respondents

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

Present : **Mr. Satya Pal Jain, Additional Solicitor General of India**
with Mr. Dheeraj Jain, Advocate
Mr. Arun Gosain, Advocate
Mr. Sunil K. Sharma, Advocate
Ms. Rajni Narula, Advocate
Mr. Shivoy Dhir, Advocate and

Mr. M.S.Chhina, Advocate
for the appellant-UOI.

Mr. Bhagwant Singh Siaka, Advocate
for respondent No.1 in RSA-3270-2018.

Mr. Manish Prabhaker, Advocate
for respondent No.1 in RSA-3338-2018.

Mr. P.S.Hundal, Senior Advocate with
Mr. Premjit Singh, Hundal, Advocate for respondent No.1
in RSA-3285-2018.

Ms. Rameza Haqim, Addl. Advocate General, Punjab and
Ms. Damanpreet Kaur, Assistant Advocate General, Punjab.

Mr. Sukhdeep Singh Sandhu, Advocate
CBI Special Prosecutor for CBI.

AJAY TEWARI, J. (Oral)

CM-8657-C-2018 in RSA-3270-2018

This is an application for condonation of 274 days delay in
filing the appeal.

For the reasons recorded in the application, the same is
allowed and delay of 274 days in filing the appeal is condoned.

Main Cases

This order will dispose off all these applications and appeals
as common question of law and facts arise. Facts have been taken from
RSA No. 3270 of 2018.

These appeals have been filed against the impugned
judgment and decree dated 12.4.2017 passed by the learned District
Judge, Amritsar whereby the suits of the plaintiffs-respondents were
party decreed with costs for recovery of certain amounts as

compensation.

It may be mentioned that these cases give rise to very intractable and emotional issues which can have far reaching consequences not only on the respondents but on the country as a whole. The plaintiff-respondents have claimed compensation for illegal detention after operation 'Blue star'.

Today with the intervention of the learned counsel the whole dispute has been settled. Learned Additional Solicitor General of India has stated that Union of India would pay its share of the decretal amount i.e. amounting of Rs. 2,16,00,000/- (Two crores sixteen lakhs only) to the respondent No.2 for onward disbursal to the plaintiffs-respondents.

Learned Additional Advocate General has also suffered a statement that the State of Punjab has already paid its share of compensation to 38 out of the 40 plaintiff-respondent and would also pay/deposit the amount/s now ordered by the Union of India to all the plaintiffs-respondents unconditionally. It has further been agreed by the learned Additional Solicitor General of India that entire up to date amount shall be disbursed to the plaintiffs-respondents deposited on or before 31.7.2018.

In view of the stand of the Union of India and the State of Punjab the various counsel appearing on behalf of the respondents have stated that since now the decreed amounts have been agreed to be paid unconditionally they would have no objection if their suits are treated to be dismissed as withdrawn after the due payments are made/deposited.

Ordered accordingly.

The appeals stand disposed off as having been rendered infructuous.

Since the main cases have been decided, the pending CM, if any, also stands disposed of.

2.7.2018
anuradha

(AJAY TEWARI)
JUDGE

Whether speaking/reasoned	-	Yes/No
Whether reportable	-	Yes/No