

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

1. **Date of decision-12.07.2019**
CWP-14732-2016(O&M)

Yadvinder Singh and others **...Petitioners**

Vs.

State of Punjab and others

...Respondents

2. CWP-14683-2016 (O&M)

Madan Mohan Dua and others
...Petitioners

Vs.

State of Punjab and others

...Respondents

3. **CWP-21377-2016 (O&M)**

Sukhpal Vatish and others **...Petitioners**

Vs.

State of Punjab and others

...Respondents

4. CWP-26795-2017(O&M)

Dr. Maninder Pal Singh and another

...Petitioners

Vs.

State of Punjab and others

...Respondents

CORAM:- HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. K.S. Dadwal, Advocate
for the petitioner(s) in CWPs-14732, 14683 of 2016 and
CWP-26795-2017.

None for the petitioner(s) in CWP-21377-2016.

Ms. Sunint Kaur, A.A.G., Punjab.

JITENDRA CHAUHAN, J.

This judgment shall dispose of above-mentioned four writ petitions as common questions of facts and law are involved therein. For the sake of brevity, the facts are being taken from CWP-14732-2016.

This writ petition has been filed under Articles 226/227 of the Constitution of India for issuance of writ in the nature of certiorari for quashing the order dated 13.04.2016 passed by respondent No.2 in pursuance to the order dated 10.03.2016, vide which the claim of the petitioners for the grant of actual benefits of 38 months pertaining to 4/9/14 years, had been rejected and the same was communicated to petitioner No.1 vide Annexure P-8 (Colly).

Reply on behalf of respondent Nos.1 to 6 (in CWP-14683-2016) has been filed today in Court and same is taken on record. Copy thereof has been supplied to the learned counsel opposite.

Learned counsel for the petitioners, during the course of arguments, has produced a copy of order dated 16.04.2019, which is taken on record as Mark 'A' which contains the number of the writ petitions wherein the claim of the petitioners has been allowed by the State. The present petitioners were petitioners in writ petition Nos.CWP-15505-2010;

CWP-2908-2012; CWP-3689-2012; CWP-5384-2011; CWP-7807-2011;

CWP-3677-2011 and CWP-12649-2010, which suggests that the necessary relief has been given to the petitioners. However, in this regard, there is no specific statement by the learned counsel for the parties. Accordingly, the respondents are directed to take fresh decision with regard to the entitlement of the petitioners in the light of the order dated 16.04.2019 (Mark 'A'). In case, after verifying the assertion made by learned counsel for the petitioners that their cases are among the cases reflected in Mark 'A' and are found to be as per the law, and the consequential relief be allowed to the petitioners within three months from the date of receipt of this judgment. However, in case the competent authority feels that the relief sought by the petitioners is not admissible, in that case, a speaking order be passed in the matter, specifically reflecting the reasons as to how the petitioners are not entitled to the benefits allowed vide order dated 16.04.2019.

Disposed of.

Photocopy of this order be placed on the other connected files.

12.07.2019

ps-I

(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned :	Yes	No
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Whether Reportable :	Yes	No
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