

***COCP No.4841 of 2018 and
10 connected petitions.***

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

Date of Decision: 15.07.2019

1. COCP No.4841 of 2018

Darshan Kaur and others

Petitioners

Versus

Dr. Roshan Sunkaria, IAS, Additional Chief Secretary, Punjab Forest
and Wildlife/Preservation Department, Punjab and another

Respondents

2. COCP No.9929 of 2018

Amrik Singh and others

Petitioners

Versus

Dr. Roshan Sunkaria, IAS, Additional Chief Secretary, Punjab Forest
and Wildlife/Preservation Department, Punjab and another

Respondents

3. COCP No.9930 of 2018

Rattan Singh and others

Petitioners

Versus

Dr. Roshan Sunkaria, IAS, Additional Chief Secretary, Punjab Forest
and Wildlife/Preservation Department, Punjab and another

Respondents

4. COCP No.9931 of 2018

Sher Singh and others

Petitioners

Versus

Dr. Roshan Sunkaria, IAS, Additional Chief Secretary, Punjab Forest
and Wildlife/Preservation Department, Punjab and another

Respondents

***COCP No.4841 of 2018 and
10 connected petitions.***

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5. COCP No.9932 of 2018

Tarsem Lal and others

Petitioners

Versus

Dr. Roshan Sunkaria, IAS, Additional Chief Secretary, Punjab Forest and Wildlife/Preservation Department, Punjab and another

Respondents

6. COCP No.9933 of 2018

Satpal and others

Petitioners

Versus

Dr. Roshan Sunkaria, IAS, Additional Chief Secretary, Punjab Forest and Wildlife/Preservation Department, Punjab and another

Respondents

7. COCP No.9934 of 2018

Ram Sarup and others

Petitioners

Versus

Dr. Roshan Sunkaria, IAS, Additional Chief Secretary, Punjab Forest and Wildlife/Preservation Department, Punjab and another

Respondents

8. COCP No.9935 of 2018

Ravinder Kumar and others

Petitioners

Versus

Dr. Roshan Sunkaria, IAS, Additional Chief Secretary, Punjab Forest and Wildlife/Preservation Department, Punjab and another

Respondents

***COCP No.4841 of 2018 and
10 connected petitions.***

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9. COCP No.4842 of 2018

Palwinder Singh and others

Petitioners

Versus

Dr. Roshan Sunkaria, IAS, Additional Chief Secretary, Punjab Forest and Wildlife/Preservation Department, Punjab and another

Respondents

10. COCP No.9936 of 2018

Shiv Kumar and others

Petitioners

Versus

Dr. Roshan Sunkaria, IAS, Additional Chief Secretary, Punjab Forest and Wildlife/Preservation Department, Punjab and another

Respondents

11. COCP No.4843 of 2018

Parminder Kumar and others

Petitioners

Versus

Dr. Roshan Sunkaria, IAS, Additional Chief Secretary, Punjab Forest and Wildlife/Preservation Department, Punjab and another

Respondents

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. S.S. Sudan, Advocate
for the petitioners.

Mr. Kanisth Ganeriwala, AAG, Punjab.

AVNEESH JHINGAN, J (Oral):

These 11 contempt petitions have been filed pleading that orders passed by this Court in following writ petitions have been wilfully disobeyed :-

Contempt Petition Number	CWP Number	Date of order
4841 of 2018	26760 of 2017	24.11.2017
9929 of 2018	26764 of 2017	24.11.2017
9930 of 2018	26761 of 2017	24.11.2017
9931 of 2018	26762 of 2017	24.11.2017
9932 of 2018	26757 of 2017	24.11.2017
9933 of 2018	26759 of 2017	24.11.2017
9934 of 2018	26756 of 2017	24.11.2017
9935 of 2018	26708 of 2017	24.11.2017
4842 of 2018	26755 of 2017	24.11.2017
9936 of 2018	26758 of 2017	24.11.2017
4843 of 2018	26763 of 2017	24.11.2017

For convenience sake, facts are being taken from CWP No.26760 of 2017.

A writ petition was filed by various petitioners working with the Forest Department, Punjab raising grievance that they should be covered under the General Provident Fund Scheme as they were appointed prior to 01.01.2004. The writ petition was disposed with the direction to take decision on the legal notice dated 01.12.2016. Relevant portion of the order is reproduced below:-

“In view of the above and without even ascertaining the correctness of the averments made in the petition, I deem it appropriate to dispose of the instant petition with a direction to respondents No.1 and 2 to examine the claim of the petitioners and to take a final decision on the legal notice dated 01.12.2016 (Annexure P-8) i.e. stated to have already been served. A final decision be taken and conveyed to the petitioners expeditiously and in any case, within a period of two months from the date of receipt of a certified copy of this order.”

Learned counsel for the State, on instructions from Mr. Shiv Kumar Singla, Deputy Director, O/o Principal Chief Conservator of Forests, Punjab, states that claim of the petitioners has been accepted and needful communication will be made to the petitioners within two weeks from today. It is further submitted that there were 260 such similarly situated employees, out of which 208 are still working in the department and have been allotted old GPF Numbers. Rest of the employees have retired from service whose claim has also been accepted, required paper work completed and matter has been sent to the Accountant General, Punjab to decide the pension case.

In view of statement made, the contempt petitions are disposed of as infructuous.

The respondents shall pursue the case of retirees with the Accountant General, Punjab for early disposal. If there is any discrepancy found in the statement made today in the Court, the petitioners would be at liberty to revive the contempt petitions.

**[AVNEESH JHINGAN]
JUDGE**

July 15, 2019

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| 1. Whether speaking/ reasoned | : | Yes |
| 2. Whether reportable | : | No |