

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

Date of Decision: 11.09.2020

1. COCP-706-2020 (O&M)

Dr. Sunita Arora

.....Petitioner

Versus

Anurag Aggarwal, Principal Secretary

....Respondent

2. COCP-744-2020

Dr. Kuldeep Singh Sachdeva

.....Petitioner

Versus

Anurag Aggarwal, Principal Secretary

....Respondent

3. COCP-1679-2020

Dr. Vijay Kumar Sobat

.....Petitioner

Versus

KAP Sinha, IAS, Principal Secretary and others

....Respondents

4. COCP-1705-2020

Dr. Narinder Kumar Garg and another

.....Petitioners

Versus

Anirudh Tiwari, Principal Secretary and others

....Respondents

CORAM: Hon'ble Mr. Justice Harnaresh Singh Gill

Present: Mr. Surinder Singh Walia, Advocate,
for the petitioners in COCP Nos.706 and 744 of
2020.

Ms. Khushbir K. Bhullar, Advocate,
for the petitioner in COCP-1679-2020.

Mr. Rajesh Bhatheja, Advocate,
for the petitioner in COCP-1705-2020.

Mr. Nikhil Chopra, Additional AG, Punjab.

Harnaresh Singh Gill, J.

Cases have been taken up for hearing through
Video Conferencing.

This order shall dispose of the above noted four
petitions as common questions of law and facts are involved
therein.

The parties are ad idem that this petition be
disposed of in terms of the order dated 15.7.2020 passed in
COCP-1038-2020 'Randhiraj Singh Sandhu Vs. Anirudh
Tiwari and others'. The operative part of the said order
reads as under:-

*"This petition has been filed alleging
contempt of order dated 24.05.2017 in CWP
No.28518 of 2013 as well as connected
petitions.*

*The respondents in CWP No.28518 of 2013
and connected matters, vide order dated
24.05.2017 were directed to include Non-
Practicing Allowance (NPA) in the basic pay of*

the retirees prior to 01.01.2006 and calculate their pension w.e.f. from the said date. Interest was however restricted to 38 months from the date of filing of the writ petition. It is further directed that this benefit shall be extended to similarly situated employees who had not approached the court. The petitioner in the present petition is similarly situated as the petitioners in CWP No.28518 of 2013 and the connected matters. Legal notice dated 18.03.2020 (Annexure P6) was served by him. Notice of motion had been issued in this case.

Ms. Simram Grewal, AAG, Punjab, on instructions from Dr. Shaminder Singh Kang, Nodal Officer, Litigation, Health and Family Welfare, Punjab, submits that order dated 24.05.2017 could not be complied with earlier due to the fact that a large number of cases were to be processed. The matter was further delayed due to outbreak of the pandemic, COVID-19. In a similar petition, COCP No.3708 of 2019, a period of ten weeks has been afforded to the respondents to comply with the order. It is undertaken that order dated 24.05.2017 shall be complied with within ten weeks from today.

Learned counsel for the petitioner submits that no grievance subsists in case necessary action is taken within ten weeks.

Accordingly, the present petition is disposed of at this stage, in terms of the undertaking of Dr. Shaminder Singh Kang, Nodal Officer, Litigation, Health and Family Welfare, Punjab as conveyed to this Court.

A specific affidavit of the said officer, in this respect be, however, filed within one week in the present case. Necessary compliance of order dated 24.05.2017 in CWP No.28518 of 2013 and connected matters be thus carried out within ten weeks from today”

In view of the same, these petitions are disposed of.

It is directed that necessary compliance of the order dated 24.05.2017 in CWP No. 28518-2013 be carried out within a period of 10 weeks from today.

11.09.2020
ds

(HARNARESH SINGH GILL)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No