

207

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

**COCP No.1097 of 2020
Date of Decision: 09.07.2020**

GEETA

.....Petitioner

Vs

**MAHABIR SINGH IAS FINANCIAL COMMISSIONER
EDUCATION HARYANA AND ANR**

....Respondents

CORAM: *HON'BLE MR. JUSTICE RAJ MOHAN SINGH*

Present:Mr. Vikram Sheoran, Advocate
for the petitioner.

Mr. Tapan Kumar Yadav, D.A.G., Haryana.

RAJ MOHAN SINGH, J. (Oral)

The case has been taken up for hearing through video conferencing.

Petitioner has preferred the present petition against the respondents for taking lawful action against the respondents for wilful defiance of the order dated 23.09.2019 passed by this Court in CWP No.27071 of 2019.

The aforesaid writ petition was disposed of vide order dated 23.09.2019 in the following terms:-

“In view of the statement made by the counsel for the petitioners and without going into the merit of the case

or commenting thereon, the present writ petition is disposed of with directions to respondent Nos.2 and 3 to decide the representation dated 05.07.2019 (Annexure P-5) within a period of two months from the date of receipt of certified copy of this order.

In case the claim of the petitioners is to be accepted, the consequential benefits, if any, be released to them, in accordance with law and if the claim of the petitioners is not to be accepted, then a well reasoned and speaking order be passed and conveyed to the petitioners forthwith.

It is made clear that in case the representation is not decided within two months, there shall be costs of ₹ 25,000/- to be paid to the petitioners.”

Evidently the claim of the petitioner has not been decided within the prescribed period of two months, rather the same has been decided vide order dated 10.06.2020 passed by the Director Elementary Education, Haryana, Panchkula.

In the event of not deciding the claim of the petitioner within two months, the condition of payment of costs of Rs.25,000/- would be attracted. The respondents have not availed any remedy against payment of contemplated costs in the event of not deciding the claim of the petitioner within the time prescribed. Respondents have declined the claim of the petitioner vide order dated 10.06.2020. Petitioner would be at liberty to seek her legal remedies in accordance with law, however costs of Rs.25,000/- is required to be paid by the

respondents as per order dated 23.09.2019.

Since the claim of the petitioner has been decided by respondent No.2, therefore, office of Director Elementary Education, Haryana, Panchkula is directed to pay the requisite costs of Rs.25,000/- to the petitioner and other writ petitioners in equal proportion.

With these observations, the petition is disposed of.

July 09, 2020
Atik

(RAJ MOHAN SINGH)
JUDGE

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